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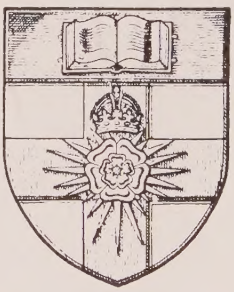

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THE

LAW REPORTS.

37N

The Public General Statutes,

PASSED IN THE THIRD YEAR

OF THE REIGN OF HIS MAJESTY

KING EDWARD THE SEVENTH.

1903.

VOL. XLI.

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3. An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and two, one thousand nine hundred and three and one thousand nine hundred and four. (*Consolidated Fund (No. 1).*)

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6. An Act to provide for the Constitution of a Royal Naval Volunteer Reserve, and a Force of Royal Marine Volunteers, and otherwise amend the Law relating to His Majesty's Naval Forces. (*Naval Forces.*)

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45. An Act to make better provision for regulating the Employment of Children. (*Employment of Children.*)

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THE

PUBLIC GENERAL STATUTES.

3 EDWARD 7.

CHAPTER 1.

An Act to make provision for a Bank Holiday in Ireland on the seventeenth day of every March. [27th March 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Bank Holiday. 34 & 35 Vict. c. 17. 38 & 39 Vict. c. 13.

1. The provisions of the Bank Holidays Act, 1871, and the Holidays Extension Act, 1875, so far as they relate to Ireland, are extended to the seventeenth day of every March when a week day, and, if a Sunday, to the next day following, and this day shall be a bank holiday in Ireland within the meaning of these Acts.

Short title.

2. This Act may be cited for all purposes as the Bank Holiday (Ireland) Act, 1903.

CHAPTER 2.

An Act to provide for the Authorisation of Races with Light Locomotives in Ireland. [27th March 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Authorisation of races with light locomotives.

1.—(1) The Council of any administrative county may, on the application of any persons or club, by order declare that any public roads within the county may be used for races with light locomotives during the whole or part of any days specified in the order, not exceeding three days in the year.

(2) The order shall contain such provisions as may be required by the Local Government Board for Ireland for the temporary suspension and regulation of other traffic for the safety of the public, for the restriction of speed in populous places, and for other purposes incident to the proper conduct of such races.

(3) Such public notice as may be required by the Local Government Board for Ireland shall be given of the provisions of the order.

(4) No provisions of any Act, byelaw, or regulation, restricting the speed of locomotives or imposing any penalty for furious driving, shall apply to any light locomotive, or the driver thereof, engaged in such races, save so far as the same may be incorporated with the order.

Expenses of the county council.

2. The expenses incurred by a county council in carrying any order under this Act into effect shall be defrayed by the applicants, and the county council may before granting the order require the applicants to make such deposit as may in their opinion be necessary to defray such expenses.

Definition.

3. In this Act the expression "light locomotives" shall have the same meaning as in the Locomotives on Highways Act, 1896, and all other expressions shall have the same meaning as in the Local Government (Ireland) Act, 1898.

Extent and citation.

4.—(1) This Act shall extend to Ireland only, and may be cited as the Light Locomotives (Ireland) Act, 1903.

(2) This Act shall only remain in force until the thirty-first day of December one thousand nine hundred and three.

CHAPTER 3.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and two, one thousand nine hundred and three, and one thousand nine hundred and four. [27th March 1903.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sums herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of 1,520,704*l.* 15*s.* 5*d.* out of the Consolidated Fund for the service of the years ending 31st March 1902 and 1903.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the years ending on the thirty-first day of March one thousand nine hundred and two and one thousand nine hundred and three, the sum of one million five hundred and twenty thousand seven hundred and four pounds fifteen shillings and fivepence.

2. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and four, the sum of thirty-eight million nine hundred and ninety-seven thousand two hundred pounds. Issue of 38,997,200*l.* out of the Consolidated Fund for the service of the year ending 31st March 1904.

3.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sums, any sum or sums not exceeding in the whole forty million five hundred and seventeen thousand nine hundred and four pounds fifteen shillings and fivepence. Power for the Treasury to borrow.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March nineteen hundred and four, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills. 40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

4. This Act may be cited as the Consolidated Fund (No. 1) Act, 1903. Short title.

CHAPTER 4.

An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army.

[30th April 1903.]

WHEREAS the raising or keeping of a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law:

And whereas it is adjudged necessary by His Majesty and this present Parliament, that a body of forces should be continued for the safety of the United Kingdom and the defence of the possessions of His Majesty's Crown, and that the whole number of such forces should consist of two hundred and thirty-five thousand seven hundred and sixty-one, including those to be employed at the depôts in the United Kingdom of Great Britain and Ireland for the training of recruits for service at home and abroad, but exclusive of the numbers actually serving within His Majesty's Indian possessions:

And whereas it is also judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm,

that a body of Royal Marine forces should be employed in His Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid:

And whereas the said marine forces may frequently be quartered or be on shore, or sent to do duty or be on board transport ships or vessels, merchant ships or vessels, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the government of His Majesty's forces by sea:

And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm by martial law, or in any other manner than by the judgment of his peers and according to the known and established laws of this realm; yet nevertheless it being requisite, for the retaining all the before-mentioned forces, and other persons subject to military law, in their duty, that an exact discipline be observed, and that persons belonging to the said forces who mutiny or stir up sedition, or desert His Majesty's service, or are guilty of crimes and offences to the prejudice of good order and military discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

44 & 45 Vict. c. 58.

And whereas the Army Act will expire in the year one thousand nine hundred and three on the following days:

(*a*) In the United Kingdom, the Channel Islands, and the Isle of Man, on the thirtieth day of April; and

(*b*) Elsewhere in Europe, inclusive of Malta, also in the West Indies and America, on the thirty-first day of July; and

(*c*) Elsewhere, whether within or without His Majesty's dominions, on the thirty-first day of December:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Army (Annual) Act, 1903.

Army Act (44 & 45 Vict. c. 58) to be in force for specified times.

2.—(1) The Army Act shall be and remain in force during the periods herein-after mentioned, and no longer, unless otherwise provided by Parliament (that is to say):—

(*a*) Within the United Kingdom, the Channel Islands, and the Isle of Man, from the thirtieth day of April one thousand nine hundred and three to the thirtieth day of April one thousand nine hundred and four, both inclusive; and

(*b*) Elsewhere in Europe, inclusive of Malta, also in the West Indies and America, from the thirty-first day of July one thousand nine hundred and three to the thirty-first day of July one thousand nine hundred and four, both inclusive; and

(*c*) Elsewhere, whether within or without His Majesty's dominions, from the thirty-first day of December one thousand nine hundred and three to the thirty-first day of December one thousand nine hundred and four, both inclusive.

(2) The Army Act, while in force, shall apply to persons subject to military law, whether within or without His Majesty's dominions.

(3) A person subject to military law shall not be exempted from the provisions of the Army Act by reason only that the number of the forces for the time being in the service of His Majesty, exclusive of the marine forces, is either greater or less than the number herein-before mentioned.

3. There shall be paid to the keeper of a victualling house for the accommodation provided by him in pursuance of the Army Act the prices specified in the schedule to this Act. Prices in respect of billeting.

SCHEDULE.

Accommodation to be provided.	Maximum Price.
Lodging and attendance for soldier where hot meal furnished.	Fourpence per night.
Hot meal as specified in Part I. of the Second Schedule to the Army Act.	One shilling and threepence halfpenny each.
Breakfast as so specified - - - -	One penny halfpenny each.
Where no hot meal furnished, lodging and attendance, and candles, vinegar, salt, and the use of fire, and the necessary utensils for dressing and eating his meat.	Fourpence per day.
Ten pounds of oats, twelve pounds of hay, and eight pounds of straw per day for each horse.	One shilling and ninepence per day.
Lodging and attendance for officer - - -	Two shillings per night.

Note.—An officer shall pay for his food.

CHAPTER 5.

An Act to constitute the Town of Duns to be the Head Burgh or County Town of Berwickshire.

[30th June 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled and by the authority of the same, as follows:

1. The town of Greenlaw, in the shire of Berwick, shall cease to be the head burgh or county town of the said shire, and the town of Duns in the said shire is hereby constituted and declared Constitution of Duns as county town.

to be the head burgh or county town of the shire for the purposes of civil and criminal jurisdiction, and for all other purposes and to all other effects whatsoever.

Repeal of Act of Parliament of Scotland 9th October 1696, and 16 & 17 Vict. c. 27.

2. The Act passed by the Parliament of Scotland held by King William at Edinburgh the ninth day of October, in the year one thousand six hundred and ninety-six, intituled "An Act declaring "the Burgh of Greenlaw the head burgh of the Shire of Berwick," and the Berwickshire Courts Act, 1853, are hereby repealed.

Short title.

3. This Act may be cited as the Berwickshire County Town Act, 1903.

CHAPTER 6.

An Act to provide for the Constitution of a Royal Naval Volunteer Reserve, and a Force of Royal Marine Volunteers, and otherwise amend the Law relating to His Majesty's Naval Forces. [30th June 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to raise new Naval Volunteer force.

1.—(1) It shall be lawful for the Admiralty to raise and maintain a force to be called the Royal Naval Volunteer Reserve.

22 & 23 Vict. c. 40.

(2) The provisions of the Royal Naval Reserve (Volunteer) Act, 1859, as amended by any subsequent enactment, shall apply to the force so raised, subject to the following modifications, namely:—

(i) Section two, section three, the proviso to section five, and section twenty of the Royal Naval Reserve (Volunteer) Act, 1859 (relating to conditions of service), so much of section six as relates to naval pay, and sections nine and ten of that Act (relating to pay and pensions), shall not apply to the force raised under this section:

(ii) The Admiralty may make regulations for carrying into effect the provisions of this section, and in particular for adapting to volunteers enrolled under this section the provisions of the Volunteer Act, 1863, which relate to the power of volunteers to quit the corps when not on actual service, and to rules and property of the corps.

26 & 27 Vict. c. 65.

Royal Marine Volunteers.

2.—(1) It shall be lawful for the Admiralty to raise and maintain a force of Royal Marine Volunteers, and for that purpose the Admiralty may make regulations as to the enrolment of men to serve in that force.

(2) The volunteers so enrolled shall be subject to the provisions of the enactments for the time being in force relating to volunteers, provided that, when subject to military law, the Army Act shall apply to them as it applies to the Royal Marines, and that, when called out for actual service or voluntarily serving for training afloat, they shall be available for service beyond the seas.

(3) In the application of the enactments relating to the volunteers to the Royal Marine Volunteers, the Admiralty shall be substituted for a Secretary of State, and the Admiralty may make regulations for adapting those enactments where necessary to the Royal Marine Volunteers.

Payment of volunteers on actual service or when training afloat.

3. Where a volunteer enrolled under this Act is serving for training afloat or is called out for actual service, he shall be deemed to be serving in His Majesty's naval or marine force within the meaning of the Naval and Marine Pay and Pensions Act, 1865, as amended by any subsequent enactment, and those enactments shall apply accordingly.

28 & 29 Vict. c. 73.

Engagement of non-continuous service men.

4.—(1) Where, after the passing of this Act, a man or boy is entered for non-continuous service in the naval service of His Majesty, he may, if regulations made by the Admiralty so prescribe, be engaged for a period not exceeding twelve years, on the terms that after such number of years' service in the Navy as the regulations prescribe, and as may be specified in his engagement paper, he shall be liable to serve for the residue of the term of his engagement in the Royal Fleet Reserve.

(2) The expression "Royal Fleet Reserve" means the division of the Royal Naval Reserve raised under the Naval Reserve Act, 1900.

63 & 64 Vict. c. 52.

Removal of restriction on numbers of Naval Reserve.

5. The Royal Naval Reserve and the Royal Fleet Reserve shall consist of such number of men as the Admiralty may determine, and in section one of the Royal Naval Reserve (Volunteer) Act, 1859, the words "not exceeding thirty thousand," and in section one of the Naval Reserve Act, 1900, the words "not exceeding fifteen thousand in number" shall be repealed.

Short title.

6. This Act may be cited as the Naval Forces Act, 1903.

CHAPTER 7.

An Act to amend the Coal Mines Regulation Act, 1887.

[30th June 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of 50 & 51 Vict. c. 58. s. 23 (1).

1. From and after the passing of this Act, section twenty-three, subsection one, of the Coal Mines Regulation Act, 1887, shall be read and construed as if the words following were added thereto at the end of the said subsection, viz.:—

> "Or unless he has received a diploma in scientific and mining training after a course of study of at least two years at any university, university college, mining school, or other educational institution to be approved of by a Secretary of State, or has taken a degree of any university to be so

approved of which includes scientific and mining subjects, and has also had practical experience in a mine for at least three years. The approval of the Secretary of State shall be signified in writing under his hand, and may be given subject to such conditions as he may think fit, and may be revoked at any time."

Short title.

2. This Act may be cited as the Coal Mines Regulation Act (1887) Amendment Act, 1903.

CHAPTER 8.

An Act to grant certain duties of Customs and Inland Revenue, to alter other duties, and to amend the Law relating to Customs and Inland Revenue and the National Debt, and to make other provisions for the financial arrangements of the year. [30th June 1903.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

CUSTOMS AND EXCISE.

Duty on grain, &c. to cease. 2 Edw. 7. c. 7.

1.—(1) On the first day of July nineteen hundred and three, the duties on grain and other articles imposed by section one of the Finance Act, 1902, and the drawbacks allowed under that section, shall cease and determine.

(2) On and after the first day of July nineteen hundred and three, the amount of the duties on glucose referred to in section six of the Finance Act, 1902, shall be the same as if that section had not been passed.

(3) The Commissioners of Customs shall have power, and shall be deemed to have had power as from the twenty-fourth day of April nineteen hundred and three, to remit any charge payable under the last paragraph but one in the schedule to the Customs Tariff Act, 1876, on the delivery of any grain or any of the articles mentioned in the First Schedule to the Finance Act, 1902, from warehouse for home consumption, and they may return the amount of any such charge paid on or after that date.

39 & 40 Vict. c. 35.

(4) If any person proves to the satisfaction of the Commissioners of Customs that he had in his stock or possession at the close of the thirtieth day of June nineteen hundred and three :—

(*a*) any grain or articles on which duty of an aggregate amount of not less than twenty-five pounds has been paid under section one of the Finance Act, 1902 ; or

(*b*) any solid or liquid glucose on which an excess duty of an aggregate amount of not less than twenty-five pounds has been paid ;

the Commissioners of Customs may remit and pay to that person the amount of the duty so paid, or, in the case of glucose, the amount of the excess duty.

For the purposes of this subsection duty shall be treated as having been paid on an article if it has been paid on any part, ingredient, or material of the article, and " excess duty " means the additional sixpence per hundredweight payable under section six of the Finance Act, 1902.

A person shall not be entitled to any payment under this subsection unless he claims that payment in writing from the Commissioners of Customs before the fourteenth day of July nineteen hundred and three.

Duty on tea.

2. The duty of customs now payable on tea shall continue to be charged, levied, and paid, until the first day of August nineteen hundred and four, on the importation thereof into Great Britain or Ireland ; that is to say—

Tea, the pound, sixpence.

Continuance of additional customs duty and drawbacks on tobacco, beer, and spirits. 63 & 64 Vict. c. 7.

3. The additional duties of customs on tobacco, beer, and spirits imposed by sections two, three, four, and five of the Finance Act, 1900 (including the increased duties imposed by section five of that Act), shall continue to be charged, levied, and paid until the first day of August nineteen hundred and four, and, as regards the period for which any additional drawbacks are allowed under those sections, nineteen hundred and four shall be substituted for nineteen hundred and one.

Continuance of additional excise duties and drawbacks on beer and spirits. 63 & 64 Vict. c. 7.

4. The additional duties of excise on beer and spirits imposed by sections six and seven of the Finance Act, 1900, shall continue to be charged, levied, and paid until the first day of August nineteen hundred and four, and, as regards the period in respect of which any additional drawback is allowed under the said section six, nineteen hundred and four shall be substituted for nineteen hundred and one.

PART II.

INCOME TAX.

Income tax for 1903–1904.

5.—(1) Income tax for the year beginning on the sixth day of April nineteen hundred and three shall be charged at the rate of elevenpence.

(2) All such enactments relating to income tax as were in force on the fifth day of April nineteen hundred and three shall have

full force and effect with respect to the duty of income tax hereby granted.

46 & 47 Vict. c. 10.

(3) Section ten of the Customs and Inland Revenue Act, 1883 (which related to duty on dividends, &c. paid prior to the passing of the Act), shall be applied with respect to the year which commenced on the sixth day of April nineteen hundred and three, as it was applied with respect to the year which commenced on the sixth day of April eighteen hundred and eighty-three, and as if it were re-enacted in this Act with the necessary change of date.

PART III.

NATIONAL DEBT.

Amount of permanent annual charge for National Debt.

6.—(1) The amount of the permanent annual charge for the National Debt during the current and every subsequent financial year shall be the sum of twenty-seven million pounds, and "twenty-seven" shall be substituted for "twenty-three" in section one of the Sinking Fund Act, 1875, as amended by subsequent Acts.

38 & 39 Vict. c. 45.

(2) Any interest or dividends on any stock, bonds, or other securities issued under the Acts specified in the First Schedule to this Act shall, notwithstanding anything in section two of the National Debt and Local Loans Act, 1887, be paid as part of the permanent annual charge for the National Debt.

50 & 51 Vict. c. 16.

PART IV.

GENERAL.

Repeal, construction, and short title.

7.—(1) The Acts specified in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.

(2) Part I. of this Act so far as relates to duties of customs shall be construed together with the Customs Consolidation Act, 1876, and the Acts amending that Act, and so far as it relates to duties of excise shall be construed together with the Acts which relate to the duties of excise and the management of those duties.

39 & 40 Vict. c. 36.

(3) This Act may be cited as the Finance Act, 1903.

SCHEDULES.

FIRST SCHEDULE.

ACTS CREATING WAR DEBT.

63 Vict. sess. 2. c. 2.	The Treasury Bills Act, 1899.
63 & 64 Vict. c. 2.	The War Loan Act, 1900.
63 & 64 Vict. c. 61.	The Supplemental War Loan Act, 1900.
64 Vict. sess. 2. c. 1.	The Supplemental War Loan (No. 2) Act, 1900.
1 Edw. 7. c. 12.	The Loan Act, 1901.
2 Edw. 7. c. 4.	The Loan Act, 1902.

SECOND SCHEDULE.

Acts Repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
62 & 63 Vict. c. 9.	The Finance Act, 1899.	Section sixteen.
63 & 64 Vict. c. 2.	The War Loan Act, 1900.	In section three, the words "but the "principal and interest and other "sums so charged shall not be payable as part of the permanent "annual charge for the National "Debt."
2 Edw. 7. c. 7.	The Finance Act, 1902.	Sections one, six, and the First and Second Schedules as from the first day of July nineteen hundred and three.

CHAPTER 9.

An Act to empower County Councils to promote Bills in Parliament. [21st July 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to county council to promote Bills in Parliament.

1.—(1) The powers conferred by section fifteen of the Local Government Act, 1888, on the council of a county to oppose Bills in Parliament shall be extended so as to authorise them to promote Bills as well as to oppose them.

51 & 52 Vict. c. 41.

(2) The county council may determine that any expenses incurred in pursuance of section fifteen of the Local Government Act, 1888, as amended by this Act, are to be regarded as incurred for special county purposes, but any such determination shall be forthwith notified to the overseers of any parish liable to be assessed in pursuance of such determination, and shall be subject to appeal, within twenty-one days, at the instance of the overseers of any parish so liable, to the Local Government Board, whose decision shall be final.

(3) For the purpose of deciding any such appeal, subsections (1) and (5) of section eighty-seven of the Local Government Act, 1888 (which relate to local inquiries), shall apply.

(4) The powers conferred by this section shall be in addition to, and not in derogation of, any powers possessed by the London County Council.

(5) Proviso (*b*) to section fifteen of the Local Government Act, 1888, which relates to the promotion of Bills in Parliament by a county council, is hereby repealed.

Amendment of Local Government (Scotland) Act, 1889. 52 & 53 Vict. c. 50. 62 & 63 Vict. c. 47.

2. Notwithstanding any provision to the contrary therein contained, the powers conferred on the council of a county in Scotland by section fifty-six of the Local Government (Scotland) Act, 1889, as read with subsection (1) of section eleven of the Private Legislation Procedure (Scotland) Act, 1899, shall be extended so as to authorise such council to promote Provisional Orders or Bills under or in pursuance of the last-mentioned Act as well as to oppose them. Section one of this Act shall not apply to Scotland.

Short title and commencement.

3.—(1) This Act may be cited as the County Councils (Bills in Parliament) Act, 1903.

(2) It shall come into operation on the first day of October nineteen hundred and three.

CHAPTER 10.

An Act to provide for the borrowing by Local Education Authorities for certain purposes. [21st July 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provision of working balance by borrowing. 2 Edw. 7. c. 42.

1. A local education authority may, with the consent or sanction of the Local Government Board, borrow under section nineteen of the Education Act, 1902, or in such other manner as that Board may approve, such sums as in the opinion of that Board are required to provide a working balance for carrying that Act into effect, and the consent or sanction or approval so given shall be conclusive as to the power of the local education authority to borrow.

Short title.

2. This Act may be cited as the Education (Provision of Working Balances) Act, 1903.

CHAPTER 11.

An Act to remove Doubts as to the Mode of Execution of certain Contracts entered into on behalf of the Secretary of State for India in Council. [21st July 1903.]

WHEREAS doubts have arisen as to the proper mode of the execution of certain contracts on behalf of the Secretary of State in Council, and it is expedient that such doubts should be removed:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Definition.

1. The expression "the Secretary of State" means the Secretary of State in Council of India.

Mode of executing contracts.

2. Every contract for or relating to the manufacture, sale, purchase, or supply of goods, or for or relating to affreightment or the carriage of goods, or to insurance, may be entered into, made, and signed on behalf of the Secretary of State by any person upon the permanent establishment of the Secretary of State, duly empowered by the Secretary of State in this behalf, subject to such rules and restrictions as the Secretary of State may from time to time prescribe. And contracts so entered into, made, and signed shall be as valid and effectual as if entered into as prescribed by the fifth section of the Government of India Act, 1859. 22 & 23 Vict. c. 41.

Contracts to be laid before the Secretary of State.

3. Particulars of all contracts so entered into as aforesaid shall be laid before the Secretary of State in such manner and form and within such times as the Secretary of State may from time to time prescribe.

Short title.

4. This Act may be cited as the Contracts (India Office) Act, 1903.

CHAPTER 12.

An Act to enable the Postmaster General to issue Postal Orders of the value of Twenty-one Shillings.

[21st July 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Alteration of maximum amount of postal orders. 43 & 44 Vict. c. 33. 46 & 47 Vict. c. 58.

1. The maximum amount of an order issued in pursuance of the Post Office (Money Orders) Act, 1880, as amended by the Post Office (Money Orders) Act, 1883, shall be twenty-one shillings, and accordingly "twenty-one" shall be substituted for "twenty" in section two of the last-mentioned Act.

Short title.

2. This Act may be cited as the Post Office (Money Orders) Act, 1903, and may be cited with the Post Office Acts, 1837 to 1898, and may be cited with and shall be construed as one with the Post Office (Money Orders) Acts, 1848 to 1883.

CHAPTER 13.

An Act to amend the Elementary Education (Defective and Epileptic Children) Act, 1899. [21st July 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of the Elementary Education (Defective and Epileptic Children) Act, 1899. 62 & 63 Vict. c. 32. s. 2 (6).

1.—(1) Notwithstanding anything contained in the Elementary Education (Defective and Epileptic Children) Act, 1899, section two (6), the Board of Education may from time to time make rules for certifying any establishment for boarding and lodging defective or epileptic children, although such establishment may be established for boarding and lodging more than fifteen defective or epileptic children in one building, or may comprise more than four such buildings.

(2) All rules made in pursuance of this Act shall be laid before both Houses of Parliament within three weeks after the same have been made, if Parliament be then sitting, or, if Parliament be not then sitting, within three weeks of the session then next ensuing, and, if any such rules are disapproved of by either House of Parliament within thirty days after the same have been so laid before Parliament, such rules, or such part thereof as may be so disapproved, shall thereupon become void and of no effect.

Short title.

2. This Act may be cited as the Elementary Education Amendment Act, 1903.

CHAPTER 14.

An Act to amend the Borough Funds Act, 1872. [11th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Expense of promoting Bills. 35 & 36 Vict. c. 91.

1. No expense in relation to the promotion of a Bill in Parliament shall be charged by the council of a borough or urban district under the Borough Funds Act, 1872, unless the requirements contained in the First Schedule to this Act have been observed.

Withdrawal of Bill, or part, in case of adverse poll.

2.—(1) If the result of a poll under this Act, or the decision of a meeting of electors when final, is against the promotion of the Bill, or of a part or parts, or clause or clauses, of the Bill, the council shall forthwith take all necessary steps to withdraw the Bill, or the part or parts, or clause or clauses (as the case may be),

against which the poll has resulted or the decision of the meeting has been given.

(2) In the case of equality of votes on any question of promotion, that question shall be deemed to be decided against the promotion.

Expenses when Bill is withdrawn.

3. Where a Bill, or a part or parts, or clause or clauses, of a Bill, is or are withdrawn, no further expense shall be incurred by the council, or mayor or chairman, in or about the promotion of the Bill, or part or parts, or clause or clauses, so withdrawn, but, subject as aforesaid, all costs, charges, and expenses incurred by the council, or mayor or chairman, in or as incidental to the preparation and promotion of the Bill up to and inclusive of its deposit in Parliament and withdrawal (if withdrawn), and in or as incidental to the holding of a meeting or the taking of a poll under this Act, shall, when taxed by a taxing officer of one of the Houses of Parliament, and allowed under the Borough Funds Act, 1872, be charged on and payable out of such one or more of the public funds or rates under the control of the council (and, if more than one, then in such proportions) as the council, having regard to the nature and objects of the Bill, may determine to be just and proper.

35 & 36 Vict. c. 91.

Saving for special Acts.

4. Nothing in this Act shall extend or be construed to alter or affect any special provision in any local Act for the payment of the costs, charges, and expenses in relation to the promotion by any council of a Bill in Parliament, or to take away or diminish any rights or powers now possessed or enjoyed by any council, or which are or shall be vested in or exerciseable by the inhabitants of the district of any council under any general or special Act, but the council may, if they think fit, adopt with respect to the promotion of any Bill the procedure provided by this Act in lieu of that provided by their local Act.

Offences in relation to polls.

5.—(1) Any person who at, or for the purposes of, a poll under this Act—

(i) fraudulently signs or forges any signature to a requisition of electors under this Act; or

(ii) applies for a voting paper in the name of some other person, whether that name be the name of a person living or dead, or of a fictitious person; or

(iii) having voted once, applies for a second voting paper in his own name; or

(iv) forges or counterfeits, or fraudulently defaces or fraudulently destroys any voting paper; or

(v) without due authority supplies a voting paper to any person; or

(vi) fraudulently puts into any box or other receptacle any paper other than a voting paper supplied to him for the purpose; or

(vii) fraudulently takes out of the polling station any voting paper; or

(viii) without due authority destroys, takes, opens, or otherwise interferes with any box or other receptacle for voting papers or any voting papers then in use; or

(ix) causes any disturbance or disorder in or near any polling station;

shall be liable on summary conviction to a fine not exceeding twenty pounds.

(2) An attempt to commit any offence specified in this section shall be punishable in the manner in which the offence is punishable.

Non-compliance with procedure.

6. The failure to comply with the requirements of this Act as to notices or the time within which anything is to be done, or the procedure at a meeting of electors or the mode of taking a poll, shall not render invalid the charge under the Borough Funds Act, 1872, or this Act of any expenses in relation to the promotion of a Bill, if the provisions of this Act have been substantially complied with and the failure has not affected the result of the proceedings under this Act.

Expenses of opposing Bills.

7.—(1) The provision contained in section four of the Borough Funds Act, 1872, that no expense in opposing a Bill in Parliament shall be charged unless the opposition has had the consent of the owners and ratepayers of the district, shall cease to apply.

54 Vict. c. 12.

(2) In section one of the Railway and Canal Traffic (Provisional Orders) Amendment Act, 1891, references to the Borough Funds Act shall be construed and have effect as references to the Borough Funds Act, 1872, as amended by this Act.

Transfer to Local Government Board of certain powers of Secretary of State.

8. The powers conferred upon the Secretary of State by the Borough Funds Act, 1872, or by virtue of any extension or application of that Act, shall be transferred to and exercised by the Local Government Board.

Definitions.

9. For the purposes of this Act, the expression "council" includes the council of every borough and of every urban district, the expression "borough" includes a metropolitan borough, and the expression "electors" means the parochial electors for the time being enrolled in the register of parochial electors in force for the parishes in a borough or urban district, and the expression "the mayor or chairman" means the mayor of the borough or the chairman of the urban district council.

Repeals.

10. The enactments specified in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.

Extent of Act.

11. This Act shall not extend to Scotland or Ireland.

Short title and commencement.

12.—(1) This Act may be cited as the Borough Funds Act, 1903, and the Borough Funds Act, 1872, and this Act may be cited together as the Borough Funds Acts, 1872 and 1903.

(2) This Act shall come into operation on the first day of October nineteen hundred and three.

SCHEDULES.

FIRST SCHEDULE.

REGULATIONS FOR MEETING AND POLLING OF ELECTORS. 35 & 36 Vict. c. 91.

(1) Where the council of a borough or urban district have resolved, in accordance with the provisions of the Borough Funds Act, 1872, to promote a Bill in Parliament, and the Bill has been deposited, notice shall be given by placards and by advertisement in some local newspaper circulating in the borough or district in two successive weeks stating—

(*a*) the title of the Bill; and

(*b*) a brief statement of the objects of the Bill;

(*c*) that the Bill has been deposited, and the date on which it was first deposited in either House; and

(*d*) that copies of the Bill may be inspected and purchased at a place within the borough or district specified in the notice, between the hours of ten in the forenoon and five in the afternoon, on every week day for fourteen days after the date of the first advertisement, and that extracts may be taken free of charge; and

(*e*) That a public meeting of electors will be held on a day named, not being less than fourteen nor more than twenty-eight days after the first advertisement of the notice, for the purpose of considering the question of the promotion of the Bill, and indicating the resolutions which will be submitted to the meeting.

(2) The first advertisement under these regulations must be made within seven days from the first deposit of the Bill in either House, and the placards giving notice under these regulations must be posted within the same time.

(3) A public meeting of electors shall be held in accordance with the notice, and the mayor or chairman, or, in the event of his being unable or unwilling to preside, any person appointed by the council to perform that duty, shall be president of the meeting; but, if neither the mayor or chairman, nor the person so appointed, is present within ten minutes after the time appointed for the meeting, the meeting shall choose an elector present at the meeting to be president of the meeting.

(4) The president of the meeting may, with the consent of the majority of the electors present, adjourn the meeting for not more than seven days.

(5) On opening any such meeting the president of the meeting, or a member or officer of the council, shall give such explanation of the Bill with reference to which the meeting is held as he thinks expedient.

(6)—(*a*) The question of the promotion of the Bill shall be put by the president to the meeting either by a single resolution in favour of the promotion of the whole Bill, or by separate resolutions in favour of the promotion of any part or parts or clause or clauses of the Bill, but together covering the promotion of the whole Bill, and the meeting shall decide for or against any such resolution.

(*b*) The president shall explain to the meeting the resolution or resolutions he proposes to put to the meeting, and the question of the promotion of the Bill shall be put in the manner proposed;

Provided that, if, before any such resolution is put, the meeting decide to request the president to put separately any resolution or resolutions in favour of the promotion of any part or parts or clause or clauses of the Bill not proposed by him to be put separately, he shall put such further or other resolution or resolutions to the meeting as will, consistently with the provisions of this schedule, give effect to that request.

(7) Unless a poll is required in manner provided by this schedule, with respect to any resolution for promotion put to the meeting, the decision of the meeting on that resolution, as declared by the president of the meeting, shall be final.

(8) A poll may be required with respect to any such resolution by not less than one hundred electors, or one-twentieth in number of the electors, whichever may be the less, and, if the decision of the meeting on the resolution is against the resolution, by the council.

(9) A requisition for a poll by electors must be in writing signed by the persons making it, and must be delivered to the mayor or chairman within seven days after the date of the meeting or any adjournment thereof.

(10) A requisition for a poll by the council must be authorised by a resolution of the council, and a copy of the resolution must be delivered to the mayor or chairman within seven days after the meeting or any adjournment thereof. Provided that, if the regulations governing the meetings of the council do not permit of an ordinary meeting of the council being held within the said seven days, the time for the delivery of a copy of the resolution shall be within three days after the date on which an ordinary meeting of the council can first be held subsequently to the date of the meeting of the electors or any adjournment thereof.

(11) The mayor or chairman shall proceed to take the opinion by poll of the electors on the resolution to which any requisition relates, unless a poll is rendered unnecessary by the withdrawal of the requisition for a poll or by a resolution of the council withdrawing the Bill, or the part or parts or clause or clauses to which the resolution, with reference to which the poll is required, relates.

(12) The polls on any number of resolutions may be taken at the same time and by means of the same voting paper.

(13) The mayor or chairman shall count, or cause to be counted, the votes given at a poll under this schedule, and shall as soon as practicable declare the result.

(14) The decision of the mayor or chairman on any question arising in respect of any voting paper shall be final.

(15) Where the mayor or chairman is unable or unwilling to perform any duty or do any act or thing with respect to a poll under this schedule, the council shall appoint some other person to perform the duty or do such act or thing.

(16) Subject to the provisions of this schedule the poll shall be taken in accordance with such regulations as may be prescribed by the Local Government Board, and the Local Government Board may prescribe forms for requisitions, voting papers, notices and other documents under this schedule, and those forms, or forms to the like effect, shall be used.

SECOND SCHEDULE.

Enactments Repealed as to England.

Session and Chapter.	Short Title.	Extent of Repeal.
35 & 36 Vict. c. 91.	The Borough Funds Act, 1872.	In section four, the words from "Pro- "vided further" to the end of the section. In section five, the words "or one of "Her Majesty's principal Secretaries "of State, as the case may be," and the words "or Secretary of State." In section six, the words "by one of "Her Majesty's principal Secretaries "of State, or" and the words "as the "case may be." In section seven, the words "or one of "Her Majesty's principal Secretaries "of State." In section eleven, the words "or the "metropolitan area as defined by "the Metropolis Management Act, "1855."

CHAPTER 15.

An Act to amend section ten of the Local Government Act, 1888. [11th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Construction of 51 & 52 Vict. c. 41. s. 10.

1.—(1) Section ten of the Local Government Act, 1888, in so far as it authorises the transfer to county councils of certain powers, duties and liabilities of Government Departments, shall be construed as authorising the transfer by Provisional Order of all or any of those powers, duties or liabilities to the council of a particular county or county borough, as well as to such councils generally.

(2) A Provisional Order shall not be made under this section except on the application of the council of a county or county borough.

(3) Where the Local Government Board propose to make a Provisional Order under this section transferring any power, duty or liability to the council of a county or county borough, the Board shall give notice to all local authorities who, in the opinion of the Board, are likely to be affected by the transfer, and if, within such time as the Board prescribe, a majority of those authorities notify to the Board that they object to any such proposed transfer the

Order shall not be proceeded with so far as relates to that transfer, but without prejudice to the power of the Board to propose a new Order.

(4) For the purposes of this Act, the expression "local authorities" means the following local authorities, namely, the council of a borough or other urban district, a rural district council, a board of guardians, a metropolitan borough council and the Common Council of the City of London.

Short title.

2. This Act may be cited as the Local Government (Transfer of Powers) Act, 1903.

CHAPTER 16.

An Act for the acquisition of certain land in Dublin as a site for a proposed Royal College of Science and other offices and buildings for the public service, and for purposes connected therewith. [11th August 1903.]

WHEREAS it is expedient that the Commissioners of Public Works in Ireland (in this Act called the Commissioners) should be empowered to acquire certain lands and buildings in the parish of Saint Anne, in the county of the city of Dublin:

And whereas those lands and buildings cannot be acquired without the authority of Parliament:

And whereas plans (in this Act referred to as the deposited plans) describing the situation of the land proposed to be acquired, with the houses and buildings thereon, with a book of reference thereto (in this Act referred to as the deposited book of reference), containing the names of the owners and lessees, or reputed owners and lessees, and of the occupiers thereof, have been deposited with the respective clerks of the peace for the county of the city of Dublin and county of Dublin and with the town clerk of the city of Dublin:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to purchase land.

1. The Commissioners may purchase and acquire for the purposes of this Act all or any of the lands delineated on the deposited plans and described in the deposited book of reference.

Incorporation of Lands Clauses Acts.

2.—(1) For the purpose of the purchase and acquisition of land under this Act the Lands Clauses Acts shall, subject to the provisions of this Act, be incorporated with this Act with the following exceptions and modifications:—

(*a*) The provisions relating to the sale of superfluous land and access to the special Act and section one hundred and thirty-three of the Lands Clauses Consolidation Act, 1845

8 & 9 Vict. c. 18.

(relating to land tax and poor rate), shall not be incorporated with this Act:

(*b*) In the construction of this Act and of the incorporated Acts, this Act shall be deemed to be the "special Act" and the Commissioners shall be deemed to be the "promoters of the undertaking":

(*c*) The bond required by section eighty-five of the Lands Clauses Consolidation Act, 1845, shall be under the common seal of the Commissioners and shall be sufficient without the addition of the sureties mentioned in that section:

(*d*) Any arbitrator, who would under the Lands Clauses Acts be appointed by the Commissioners, shall be appointed by the Local Government Board for Ireland, and, in the provisions of those Acts relating to the arbitrator as incorporated with this Act, any reference to the Commissioners shall be read as a reference to the Local Government Board.

(2) The powers of the Commissioners for the compulsory purchase of land under this Act shall cease on the expiration of five years from the passing of this Act.

Issue and raising of money for the purposes of Act.

3.—(1) The Treasury may issue out of the Consolidated Fund, or the growing produce thereof, such sums, not exceeding in the whole the sum of two hundred and twenty-five thousand pounds, as may be required by the Commissioners for such purposes connected with the acquisition of land and the erection and equipment of buildings under this Act as the Treasury may approve.

(2) The Treasury may, if they think fit, at any time for the purpose of providing money for the issue of sums out of the Consolidated Fund under this Act, or the repayment to that Fund of all or any parts of the sums so issued, borrow money by means of terminable annuities for such period, not exceeding thirty years from the passing of this Act, as the Treasury may fix, and all sums so borrowed shall be paid into the Exchequer.

(3) The said annuities shall be paid out of moneys provided by Parliament for the service of the Commissioners, and, if those moneys are insufficient, shall be charged on and paid out of the Consolidated Fund of the United Kingdom, or the growing produce thereof.

(4) The Commissioners shall within six months after the end of every financial year in which money is issued under this section cause to be made out an account, in the form required by the Treasury, showing the money expended and borrowed and the securities created under this Act; and the account of the expenditure under this Act shall be audited and reported upon by the Comptroller and Auditor-General as an appropriation account in manner directed by the Exchequer and Audit Departments Act, 1866.

(5) Any sum received at any time after the passing of this Act on account of the sale or disposal of any land or buildings used at the time of the passing of the Act for the purposes of the Royal College of Science in Dublin shall, as the Treasury direct, be applied in paying any sums authorised to be issued out of the Consolidated Fund under this Act, or paid to the National Debt

Commissioners and applied by them as if the sum were part of the old sinking fund.

Extinction of rights of way and other easements.

4.—(1) All rights of way, rights of laying down or of continuing any pipes, sewers or drains on, through or under any of the land acquired by the Commissioners, under the provisions of this Act, and all other rights and easements in or relating to that land shall be extinguished, and all the soil of those ways and the property in the pipes, sewers and drains shall vest in the Commissioners.

(2) Provided that any persons may recover from the Commissioners such compensation (if any) as they may be entitled to under any of the provisions of the Lands Clauses Acts for any rights or property, of which they may be deprived in pursuance of this section, and the amount of that compensation shall be determined in manner provided by the Lands Clauses Acts as modified for the purpose of their incorporation with this Act.

Power to enter on lands.

5. The Commissioners and their surveyors, officers and workmen may at all reasonable time in the daytime, on giving twenty-four hours' notice in writing, enter on any of the land which the Commissioners are authorised to acquire under this Act for the purpose of surveying or valuing the land.

Protection of works of gas, water and electricity companies.

6.—(1) Where, in the removal or pulling down of any buildings or in raising or lowering the ground of any street or way for the purpose of this Act, it is necessary to raise, sink or otherwise alter the position relatively to the surface of the ground of any pipe, wire or other apparatus, laid down or used by any gas, water or electricity company, or connected with any house or building for the supply of gas, water or electricity,

(*a*) one month's notice shall be given to the company previously to the commencement of any such work; and

(*b*) the work shall be executed to the reasonable satisfaction of the engineer of the company or, in case of difference, of an engineer to be selected by the Board of Trade; and

(*c*) every such work shall be so executed as to cause as little inconvenience as circumstances will admit to the company; and

(*d*) the Commissioners shall make compensation to the company for all loss or damage, if any, which may be occasioned by the execution of any of the works authorised by this Act.

(2) For the purposes of this section the expression "gas, water or electricity company" includes any person or body of persons supplying gas, water or electricity.

Vesting, &c. of land acquired under Act.

7.—(1) All lands taken or acquired by the Commissioners under this Act shall be held by the Commissioners in trust for His Majesty for the purposes of this Act.

(2) The Commissioners may sell, exchange or lease all or any of the lands acquired by them under this Act and not required for the purposes of this Act.

(3) A purchase, sale, exchange or lease of land under this Act shall not be made or granted except with the consent of the Treasury, but it shall not be necessary for the person who sells,

purchases or takes in exchange or on lease any such land to ascertain that the consent of the Treasury has been given under this section.

(4) Any sums received on any sale or exchange of lands under this section shall be paid into the Exchequer.

Power to build.

8. The Commissioners may erect all such buildings, execute all such works and do all such other things as may, in their opinion, be necessary or proper for the purpose of providing and equipping, on land acquired by them under this Act, buildings for a Royal College of Science, and for such public offices as may be determined, and appropriating any such land for any of those purposes.

Penalty for obstructing Commissioners.

9. If any person wilfully obstructs any person acting under the authority of the Commissioners in the lawful exercise of the powers vested in them under this Act, he shall for each offence be liable, on summary conviction, to a fine not exceeding five pounds.

Short title.

10. This Act may be cited as the Public Offices Site (Dublin) Act, 1903.

CHAPTER 17.

An Act to amend the Metropolitan Streets Act, 1867.

[11th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Regulation of street collections. 30 & 31 Vict. c. 134.

1. The power to make regulations conferred by section eleven of the Metropolitan Streets Act, 1867, shall extend to the making of regulations, to be observed by all persons within the general limits of that Act, with respect to the places where and the conditions under which persons may collect money in any street for charitable or other purposes.

Short title and construction. 30 & 31 Vict. c. 134. 31 & 32 Vict. c. 5. 48 & 49 Vict. c. 18.

2. This Act may be cited as the Metropolitan Streets Act, 1903, and shall be construed as one with the Metropolitan Streets Act, 1867, the Metropolitan Streets Act Amendment Act, 1867, and the Metropolitan Streets Act, 1885; and those Acts and this Act may be cited together as the Metropolitan Streets Acts, 1867 to 1903.

CHAPTER 18.

An Act to regulate the sale and use of Pistols or other Firearms. [11th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Pistols Act, 1903.

Definition of terms.

2. In this Act the term "pistol" means a firearm or other weapon of any description from which any shot, bullet or other missile can be discharged, and of which the length of barrel, not including any revolving detachable or magazine breach, does not exceed nine inches.

33 & 34 Vict. c. 57.

The term "gun or game licence" means a licence to use or carry a gun granted under the Gun Licence Act, 1870, or a licence or certificate to kill game granted under the laws of excise in that behalf.

The term "antique pistol" shall not include any pistol with which ammunition is sold, or which there is reasonable ground for believing is capable of being effectually used.

Sale or hire of pistols.

3. It shall be unlawful to sell by retail or by auction or let on hire a pistol to any person, unless at the time of sale or hire such person either produces a gun or game licence then in force, or gives reasonable proof that he is a person entitled to use or carry a gun without a gun or game licence by virtue of section seven of the Gun Licence Act, 1870, or that, being a householder, he purposes to use such pistol only in his own house or the curtilage thereof, or that he is about to proceed abroad for a period of not less than six months, and produces a statement to that effect, signed by himself and by a police officer of the district within which he resides, of rank not lower than that of inspector, or by himself and by a justice of the peace.

Every person who sells by retail or lets on hire a pistol shall, before delivery, make, or cause to be made, an entry in a book to be kept for that purpose, specifying the description of the pistol, whether single barrel, magazine, revolver, pin, rim, or centre fire, sold or let on hire, the date of such sale or hire, the name and address of the purchaser or hirer, and the office from which the gun or game licence produced by the purchaser was issued, the date of such licence or the circumstances exempting such purchaser or hirer from having such licence. Such book must be produced for inspection on the request of any officer of police or any officer of Inland Revenue.

If any person—

(*a*) Contravenes any of the foregoing provisions of this section; or

(*b*) On the sale, purchase or hire of a pistol knowingly makes, or causes to be made, any false entry or statement as to any matter concerning which he is required by this section to make an entry or statement,

he shall be liable to a penalty not exceeding five pounds.

Persons under eighteen years.

4. Any person who being under the age of eighteen years, and not being exempt by virtue of section seven of the Gun Licence Act, 1870, from incurring a penalty for using or carrying a gun without a gun or game licence, buys, hires, uses or carries a pistol, shall be liable to a penalty not exceeding forty shillings, and any person who knowingly sells or delivers a pistol to any person

under such age, and not being so exempt, shall be liable to a penalty not exceeding five pounds.

The court may make such order as to the forfeiture or disposal of any pistol found in the possession of a person being under the age of eighteen years and liable to a penalty under this Act, as to the court may seem fit.

Sale of pistols to insane or intoxicated person.

5. Any person who shall knowingly sell a pistol to any person who is intoxicated or is not of sound mind shall be liable to a penalty not exceeding twenty-five pounds or to be imprisoned with or without hard labour for a period not exceeding three months.

Proceedings in court of summary jurisdiction.

6. Any offence against this Act may be prosecuted, and any fine in respect thereof may be recovered, and any summary order under this Act may be made, in manner provided by the Summary Jurisdiction Acts.

Legal proceedings in Scotland.

7. For the purposes of the application of this Act to Scotland any offence against this Act may be prosecuted, and any fine in respect thereof may be recovered, and any summary order under this Act may be made, in manner provided by the Summary Jurisdiction (Scotland) Acts.

Pistols as curiosities or ornaments.

8. The provisions of this Act shall not apply where an antique pistol is sold as a curiosity or ornament.

Extent of Act.

9. This Act shall not apply to Ireland.

CHAPTER 19.

An Act to give power to dissolve School Districts formed under the Acts relating to the relief of the poor, and for facilitating adjustments on alterations of areas or authorities under those Acts. [11th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power to dissolve school districts. 32 & 33 Vict. c. 63. 7 & 8 Vict. c. 101.

1. Section one of the Metropolitan Poor Amendment Act, 1869 (which relates to the dissolution of school districts), shall extend to all school districts formed under section forty of the Poor Law Amendment Act, 1844, whether contained wholly or partly in the metropolis or not.

Adjustments on alteration of areas or authorities. 51 & 52 Vict. c. 41.

2.—(1) Agreements may be made by any boards of guardians or other authorities affected by the alteration under this Act, or under any Act relating to the relief of the poor, of any areas or authorities, for the adjustment of any property, income, debts, liabilities and expenses, so far as they are affected by the alteration, and section sixty-two of the Local Government Act, 1888, shall apply with respect to any such adjustment with the modifications specified in the First Schedule to this Act.

(2) The making of any agreements and the carrying out of any agreements or awards, made in pursuance of this section, shall be a purpose for which persons shall continue in office under section one of the Dissolved Boards of Management and Guardians Act, 1870.

33 & 34 Vict. c. 2.

Repeal.

3. The enactments specified in the Second Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

Short title.

4. This Act may be cited as the Poor Law (Dissolution of School Districts and Adjustments) Act, 1903.

SCHEDULES.

FIRST SCHEDULE.

MODIFICATIONS OF SECTION 62 OF THE LOCAL GOVERNMENT ACT, 1888.

1. Subsection one shall have effect as if the following provision were added thereto:

"Where any guardians or managers are interested, any agreement for the joint use of any property shall be subject to the approval of the Local Government Board."

2. Subsection five shall be construed as if the words "any fund which in "pursuance of the Acts relating to the relief of the poor would be or might "be made available for defraying the like expenditure" were substituted for the words "the county or borough fund."

3. The following provision shall be substituted for subsection six, so far as respects guardians or managers:—

"(6) Where any guardians or managers are interested, the payment of "any capital sum by those guardians or managers shall be a purpose for "which they may borrow under the Acts relating to the relief of the poor, "and any such sum may be borrowed without the consent of any authority, "so that it be repaid within such period as the Local Government Board "sanction," and subsection seven shall have effect as if the word "council" included any guardians, managers or other authority.

4. The section shall have effect as if the following provisions were added thereto:—

"(8) If it is necessary, for the purpose of giving effect to any agreement or award for an adjustment under this Act, that a separate rate should be levied in part of a parish only, the agreement or award may authorise the making of such a separate rate as if it were a poor rate, and as if the part of the parish on which it is to be levied were a whole parish.

"(9) Any councils or other authorities shall have power to dispose of any property in the manner provided for by any agreement or award under this Act, without any authority or direction from the Local Government Board, except as expressly provided in this Schedule.

"(10) For the purpose of giving effect to any adjustment, the Local Government Board may alter any certificate given by them under the Local Government Act, 1888, as respects the sums payable by county or county borough councils to guardians."

SECOND SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
4 & 5 Will. 4. c. 76.	The Poor Law Amendment Act, 1834.	Section thirty-two, from the words "provided always," where they first occur, to "entitled thereto, as the case may be."
7 & 8 Vict. c. 101.	The Poor Law Amendment Act, 1844.	Section forty-six, from "and in case of any addition" to the end of the section.
31 & 32 Vict. c. 122.	The Poor Law Amendment Act, 1868.	Section twelve.
32 & 33 Vict. c. 63.	The Metropolitan Poor Amendment Act, 1869.	The words "adjust the rights and liabilities of parishes and unions comprised therein, respectively, and" in section one, and section four, from "and they shall" to the end of the section.
33 & 34 Vict. c. 2.	The Dissolved Boards of Management and Guardians Act, 1870.	Section four. Section seven, so far as it empowers the Local Government Board by order to direct the payment of any instalment of or interest on any loan, as therein mentioned. Section eleven.
39 & 40 Vict. c. 61.	The Divided Parishes and Poor Law Amendment Act, 1876.	Section eight, from the beginning of the section to "order; and"
45 & 46 Vict. c. 58.	The Divided Parishes and Poor Law Amendment Act, 1882.	Sections nine, ten, and eleven.

CHAPTER 20.

An Act to reorganise the Administration of the Patriotic Fund. [11th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Incorporation of Royal Patriotic Fund.

1.—(1) There shall be established a Royal Patriotic Fund Corporation, which shall be a body corporate by that name, with

perpetual succession and a common seal and power to acquire and hold lands without licence in mortmain.

(2) The constitution, rights, powers and duties of the Corporation shall be determined in accordance with the First Schedule to this Act.

Objects of Corporation.

2. The property of the Corporation shall, subject to any special trust relating to any part thereof, be administered by the Corporation for the benefit of the widows, children and dependents of officers and men of the naval and military forces of the Crown.

Transfer of administration of Patriotic Fund to Corporation.

3.—(1) The Patriotic Fund Commission is hereby dissolved, and the property, rights, duties and liabilities thereof, and all property held in trust therefor, are hereby transferred to and vested in the Royal Patriotic Fund Corporation.

(2) The officers and clerks in the service of the Patriotic Fund Commission shall be transferred and attached to the Royal Patriotic Fund Corporation: Provided that such persons shall not by reason of the transfer be in any worse position legally in respect of their salaries, tenure of office or superannuation allowances than they would have been if this Act had not passed.

(3) References in any deed, will or other instrument to the Patriotic Fund Commission shall, unless a contrary intention appears, be construed as references to the Royal Patriotic Fund Corporation.

Repeal.

4. The enactments mentioned in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

Short title and commencement.

5.—(1) This Act may be cited as the Patriotic Fund Reorganisation Act, 1903.

(2) It shall come into operation on the first day of January nineteen hundred and four.

SCHEDULES.

FIRST SCHEDULE.

Section 1.

CONSTITUTION OF CORPORATION.

Constitution of Corporation.

1. The Corporation shall consist of the following persons, namely:—
   (*a*) Twelve members nominated by His Majesty by warrant under the sign manual, who shall be appointed for a term of three years, but shall be eligible for re-appointment, and who are referred to as "appointed members."
   (*b*) The lord lieutenants of counties.
   (*c*) The chairman for the time being of every council of a county: Provided that a county council may, if the chairman is unable or unwilling to act, appoint some other person in place of the chairman to be a member of the Corporation, and any person so appointed shall hold office for one year from the time of his appointment.

(*d*) Every person for the time being entitled to the style of Lord Mayor and the mayor for the time being of every county borough in England, Wales and Ireland.

(*e*) Every person for the time being entitled to the style of Lord Provost and the provost for the time being of every royal, Parliamentary or police burgh in Scotland with a population of or exceeding 50,000 according to the census for the time being last taken: provided that any question as to the persons entitled to the style of Lord Provost may be decided by the Secretary for Scotland, and his decision shall be final.

(*f*) Any number of persons not exceeding seven whom the council of the Corporation may think fit to co-opt as members, each of whom shall have been nominated as the representative of a charitable fund founded for the like purposes as the Corporation.

Filling vacancies.

2. If during the three years immediately succeeding the commencement of this Act any vacancy occurs by death, resignation or otherwise among the appointed members, His Majesty may appoint some person to supply the vacancy, and that person shall hold office until the expiration of the three years.

After the expiration of the three years the appointed members shall be selected as follows; namely, six members shall be appointed by His Majesty by warrant under the sign manual, and the remaining six members shall be co-opted by the general council, and the members so appointed or co-opted shall hold office for a term of three years, but shall be eligible for re-appointment or co-optation by His Majesty or by the council.

Where any vacancy occurs by death, resignation, effluxion of time or otherwise in the office of any member so appointed or co-opted, the vacancy shall be filled by appointment by His Majesty or by co-optation, as the case may be. Any member so appointed or co-opted shall hold office for three years, and shall be eligible for re-appointment or co-option.

General council.

3. The powers and duties of the Corporation shall be exercised and performed by the general council of the Corporation, consisting of the whole of the members, and by an executive committee appointed from among the members.

Meetings of council.

4. The general council shall meet once at least in every year, and shall also meet when required to meet by a requisition in writing signed by not less than ten members of the Corporation, and seven members shall constitute a quorum of the general council.

President and vice-president.

5.—(*a*) One of the members of the Corporation appointed by the Crown shall be nominated by the Crown as president of the council.

(*b*) The chairman of the executive committee shall be elected by the committee and shall be the vice-president of the council.

Executive committee.

6. The executive committee shall consist of not less than twelve nor more than twenty members of the Corporation, of whom three shall constitute a quorum. Four members in the first instance, and thereafter one member of the committee, shall be appointed by the Treasury, two by the First Lord of the Admiralty, two by the Secretary of State for War, and the remaining members shall be appointed by the general council.

Functions of the executive committee.

7. The business and affairs of the Corporation shall be conducted by the executive committee under the control of the general council, who may make general rules for, or give special directions to, the committee, but subject to any such rules or directions the committee shall regulate their own procedure. General rules made by the council may provide for the formation of local committees for purposes connected with the fund (the

members of which need not be members of the Corporation), and may regulate the functions of those committees, and may provide for other matters incidental to the due conduct of the business of the Corporation.

Treasurer of Corporation.

8. The Paymaster-General shall be the treasurer of the Corporation, and he shall keep such accounts on behalf of the Corporation as the Treasury may from time to time direct.

Deposit of securities in Bank of England.

9. All securities belonging to the Corporation shall be deposited in the Bank of England for the credit and at the disposal of the Corporation, and all interest and dividends accruing on such securities shall from time to time be received by the Bank of England, and shall be carried by them to the cash account of the Paymaster-General in their books.

Proceeds of sale to be carried to account of Paymaster-General.

10. On the sale at any time under the authority of the Corporation of any annuities, stocks, funds or securities standing to their account in the books of the Bank of England, and of any securities belonging to the Corporation deposited with the Bank of England, the proceeds of the sales shall be received by the Bank, and shall be carried by them to the cash account of the Paymaster-General in their books.

Audit of accounts.

11. The accounts of the receipts and expenditure of the Corporation shall be audited in such manner and by such persons as the Treasury may from time to time direct.

Secretary, clerks, &c.

12. The Corporation may employ a secretary, clerks and servants at salaries, and the said salaries and all other proper expenses of the Corporation shall be paid out of the funds at the disposal of the Corporation.

Superannuation fund.

13. The general council may establish a scheme of pensions for persons in the permanent employment of the Corporation, and for that purpose may create a superannuation fund, one half of which shall be furnished by contributions from the beneficiaries, and the other half of which shall be furnished from the funds at the disposal of the Corporation.

Power to receive subscriptions.

14. The Corporation may from time to time solicit and receive contributions from the public and donations of property for the purposes of the Corporation, and may also receive any such sums as may be granted by Parliament.

Annual report of Corporation.

15. The Corporation shall in each year make a report of their proceedings to His Majesty.

SECOND SCHEDULE.

Section 4.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
30 & 31 Vict. c. 98.	The Patriotic Fund Act, 1867 - -	The whole Act.
44 & 45 Vict. c. 46.	The Patriotic Fund Act, 1881 -	The whole Act.
49 & 50 Vict. c. 30.	The Patriotic Fund Act, 1886 - -	The whole Act.
62 & 63 Vict. c. 45.	The Patriotic Fund Act, 1899 -	The whole Act.

CHAPTER 21.

An Act to make provision for giving effect to a Convention signed the Fifth day of March Nineteen hundred and two, in relation to Sugar. [11th August 1903.]

WHEREAS His Majesty the King and divers foreign Powers have entered into a Convention signed the Fifth day of March, Nineteen hundred and two, in relation to sugar; and it is expedient to give effect to that Convention:

And whereas provision is made under Article VII. of the Convention for the establishment of a permanent commission with a permanent bureau attached to it charged with watching the execution of the provisions of the Convention (in this Act referred to as the Permanent Commission):

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Powers with respect to bounty-fed sugar.

1.—(1) Where it is reported by the Permanent Commission that any direct or indirect bounty is granted in any foreign country on the production or export of sugars, His Majesty may, by Order in Council, make a prohibition order, that is to say, an order prohibiting sugar from that foreign country to be imported or brought into the United Kingdom, subject to any provision which may be made by Parliament, in lieu of such prohibition, to impose a special duty on such sugar in accordance with the Convention.

(2) While a prohibition order is in force, the laws relating to Customs shall apply as if the sugar, in respect of which the Order is made, were specified in the table of prohibitions and restrictions inwards, contained in section forty-two of the Customs Consolidation Act, 1876. 39 & 40 Vict. c. 36.

(3) His Majesty may, by Order in Council, make such regulations as appear to him necessary, in relation to any Order under this section, and may by those regulations in particular require the origin of all sugar imported or brought into the United Kingdom, whether in transit or otherwise, to be proved by such certificate or other evidence as may be provided in the Order.

(4) An Order made under this section shall not apply to molasses nor, except as expressly mentioned in this section, to sugar in transit.

(5) Any share of the expenses on account of the organisation and working of the Permanent Commission, as determined in pursuance of the Convention, and any expenses incurred in connection with the attendance of delegates at the Commission shall be paid out of moneys provided by Parliament.

Regulations as to sugar refineries and factories.

2. His Majesty may, by Order in Council, declare that every sugar factory and sugar refinery and factory for the extraction of sugar from molasses in the United Kingdom shall be subject to

the supervision either of the Commissioners of Customs or of the Commissioners of Inland Revenue; and those Commissioners may respectively make regulations—

(*a*) for prohibiting the carrying on of any such factory or refinery otherwise than by persons authorised and in premises approved by the Commissioners and, if required, entered for the purpose; and for giving officers of the Commissioners powers of entry into any part of the premises at any time; and

(*b*) for securing the payment of duty (including any charge which there is power to make under the law for the time being in force, on the delivery of goods for home consumption), and regulating the time and mode of and the general arrangements to be made for that payment, and for preventing any claim to drawback where duty has not been paid, and for regulating the removal of any sugar to or from the premises, the storage of finished sugar and the return of sugar for the purpose of further refinement; and

(*c*) for making such entries in relation to the various processes in the manufacture of sugar as may be required by the Commissioners, and for enabling the officers of the Commissioners to inspect those entries; and

26 & 27 Vict. c. 7.

(*d*) for applying any provisions of the laws of Customs (including the Manufactured Tobacco Act, 1863) or of the laws of Excise; and

(*e*) for attaching penalties not exceeding fifty pounds to any breach of or failure to comply with any regulation made under this section, and providing for the recovery and application of the penalty, and for the forfeiture of any article in respect of which any offence against the regulations is committed;

and the duties payable under the Finance Act, 1901, or any Act amending that Act, shall be taken on the delivery of any article from the factory or refinery, and shall be the same as those payable on the like articles on importation.

Revocation of orders and saving.

3.—(1) His Majesty may by Order in Council revoke, alter or add to any Order in Council made under this Act.

(2) Nothing in this Act shall apply to glucose.

Short title.

4. This Act may be cited as the Sugar Convention Act, 1903.

CHAPTER 22.

An Act to make further provision for the construction of works in the United Kingdom and elsewhere for the purposes of the Royal Navy. [11th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) In addition to any sum authorised to be issued under any other Act, the Treasury shall issue out of the Consolidated Fund or the growing produce thereof such sums, not exceeding in the whole seven million nine hundred and ninety-six thousand pounds, as may be required by the Admiralty for defraying the cost of the works specified in the schedule to this Act, subject to the terms and conditions in sections three and five of the Naval Works Act, 1896, and those sections and section five of the Naval Works Act, 1895, (which relates to the mode in which money may be raised) shall be construed as if they were herein re-enacted and in terms made applicable to this Act, but in the application of the said section five the maximum period of the terminable annuities shall be a period not exceeding thirty years from the dates of borrowing, instead of a period not exceeding thirty years from the passing of the Naval Works Act, 1895. Issue of money for works mentioned in schedule. 59 & 60 Vict. c. 6. 58 & 59 Vict. c. 35.

(2) The Bank of England may lend any money which the Treasury are authorised to raise under this Act.

2. This Act may be cited as the Naval Works Act, 1903. Short title.

SCHEDULE.

Heads of Proposed Expenditure. Section 1.

Works.	Total Estimated Cost, 1903.	Expenditure to 31st March 1902.	Estimated Expenditure from 1st April 1902 to 31st March 1903.	Estimated Expenditure for the Financial Years 1903-1904 and 1904-1905.	Expected Date of Completion.
1.	2.	3.	4.	5.	6.
(a) *Enclosure and Defence of Harbours.*	£	£	£	£	
Gibraltar	1,239,000	1,045,680	105,320	88,000	1903-4
Gibraltar, Commercial Mole	*669,000	233,734	178,266	257,000	1903-4
Portland	†650,000	465,013	69,987	115,000	1903-4
Dover	3,500,000	1,022,370	448,630	850,000	1907-8
Malta Breakwater	1,000,000	204	26,471	157,000	1909-10
(b) *Adapting Naval Ports to present Needs of Fleet.*					
Deepening harbours and approaches	‡1,300,000	922,475	111,572	245,000	—
Keyham Dockyard Extension	4,175,000	1,808,975	564,025	950,000	1906-7
Portsmouth Docks	372,502	372,502	—	—	Completed.
Gibraltar Dockyard Extension	2,809,000	899,385	373,615	750,000	1905-6
Hong Kong Dockyard Extension	1,245,500	193,877	215,623	550,000	1905-6
Colombo Dock	159,000	50,250	25,250	50,000	1905-6
Pembroke Jetty, &c.	130,000	82,501	36,906	10,593	1903-4
Portsmouth, widening Caisson	40,466	40,466	—	—	Completed.
Haulbowline Improvements	62,599	62,211	388	—	Completed.

* The total estimated cost of the Commercial Mole is 700,000*l.*, including 31,000*l.* for superintendence under item (d). Four sevenths of this sum is to be repaid by the colony of Gibraltar in the form of an annuity of 14,000*l.* per annum for 57 years from the opening of the Mole, to be credited as an appropriation in aid of Navy Vote 10.

† An expenditure of 40,543*l.* was incurred during 1893-4 and 1894-5 in erecting dolphins on the line of the breakwater, and was charged to Vote 10 in those years. This is in addition to the estimate of 650,000*l.*

‡ Exclusive of the cost of dredging plant purchased prior to 31st March 1895.

HEADS OF PROPOSED EXPENDITURE—*continued.*

Works.	Total Estimated Cost, 1903.	Expenditure to 31st March 1902.	Estimated Expenditure from 1st April 1902 to 31st March 1903.	Estimated Expenditure for the Financial Years 1903-1904 and 1904 1905.	Expected Date of Completion.
1.	2.	3.	4.	5.	6.
(b) *Adapting Naval Ports to present Needs of Fleet*—cont.	£	£	£	£	
Chatham Dock	450,000	121,722	153,721	174,557	1904-5
Malta Dockyard Extension	1,250,000	177,782	151,111	546,050	1907-8
Bermuda Dockyard Extension	700,000	214,275	93,543	160,000	1907-8
Simon's Bay Dockyard Extension, &c.	§2,500,000	38,512	10,988	200,000	1907-8
Coaling facilities and fuel storage	1,280,000	3,625	181,837	650,099	1906-7
Chatham Dockyard Extension	‖50,000	—	—	50,000	—
Sheerness Depôt for Torpedo Boat Destroyers.	250,000	—	—	143,000	1906-7
Naval establishment at Rosyth	‖200,000	—	—	200,000	—
(c) *Naval Barracks, &c.*					
Chatham Naval Barracks	515,000	385,446	42,054	70,000	1905-6
¶Gunnery Schools	470,000	1,057	443	80,000	1906-7
Portsmouth Naval Barracks	791,400	435,832	80,169	200,000	1905-6
Keyham Naval Barracks	281,000	157,676	26,324	90,000	1905-6
Chatham Naval Hospital	429,000	168,463	82,137	150,000	1905-6
Walmer Marine Depôt	17,658	17,658	—	—	Completed.
Keyham Engineers' College	23,298	23,298	—	—	Completed.
"Britannia" R.N. College	875,000	140,891	56,719	177,390	1904-5
Magazines	1,335,000	455,602	98,424	520,000	1906-7
Haslar Hospital Extension	68,265	66,797	931	537	1903-4
Haulbowline Zymotic Hospital	12,868	12,868	—	—	Completed.
Coast Guard Stations and Royal Naval Reserve Batteries.	‖50,000	—	—	50,000	—
Torpedo ranges	**320,000	—	—	75,000	1906-7
Electric light and power in Naval establishments.	1,500,000	—	—	713,000	1908-9
(d) *Superintendence and Miscellaneous Charges.*	1,420,303	334,269	93,168	298,800	—
	31,640,859	9,955,416	3,232,527	8,570,877	
Total of columns 3, 4, and 5			£21,758,820††		

§ An expenditure estimated at 8,300*l.* was incurred during 1896-7 to 1898-9, on the preliminary survey for this work, and was charged to Vote 10 in those years. This is in addition to the estimate of 2,500,000*l.*

‖ This is a token sum only, and does not represent the total estimated cost.

¶ Includes the item formerly described as "Naval Barracks for Medway Gunnery School."

** An expenditure of 60*l.* was incurred on this item in 1902-3 and charged to Vote 10. This is in addition to the estimate of 320,000*l.*

	£	£
†† Total estimated expenditure to 31st March 1905		21,758,820
Expenditure already authorised, viz.:—		
Out of Navy Votes (8 and 10) prior to inclusion of works in Loan Acts	241,820	
By Act of 1895 (1,000,000*l.* less 140,000*l.* lapsed)	860,000	
By Act of 1896	2,750,000	
By Act of 1897	654,000	
By Act of 1899	3,100,000	
By Act of 1901	6,157,000	
		13,762,820
Further expenditure to be authorised by this Act		£7,996,000

CHAPTER 23.

An Act to provide for a Special Grant to be used for the purposes of the Development of Ireland.

[11th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Ireland development grant.

1.—(1) In every financial year there shall be paid out of money to be provided by Parliament the sum of one hundred and eighty-five thousand pounds, which shall be called "the Ireland Development Grant":

Provided that in the financial year ending on the thirty-first of March nineteen hundred and four there shall be paid only two-thirds of the said sum.

(2) The Ireland development grant shall, subject to the provisions of any Act of the present session relating to Irish land purchase, be paid to a separate account, called the "Ireland Development Grant Account," to be established under regulations made by the Treasury for that purpose.

(3) Any portion of the grant, not required by any Act of the present session to be applied for purposes connected with Irish land purchase in any financial year, shall be applied by the Lord Lieutenant as follows:—

(*a*) for the purpose of education; and

(*b*) for the promotion of the economic development and transit facilities of Ireland;

subject to such regulations as may be made by the Treasury with respect to accounts, audit and accumulation of moneys standing to the account.

(4) Any estimate, presented in respect of the grant payable in any financial year, shall show the amount of the estimated balance to the credit of the Ireland Development Grant Account at the beginning of the financial year, and also the proposed application of the sums to be issued out of the account in the financial year.

(5) The Lord Lieutenant shall, as soon as may be after the close of each financial year, make a report of all his proceedings under this Act, and cause the report to be laid before Parliament.

Short title.

2. This Act may be cited as the Ireland Development Grant Act, 1903.

CHAPTER 24.

An Act to extend and adapt the Education Act, 1902, to London. [14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Application of Education Act, 1902, to London.

1. The Education Act, 1902 (in this Act referred to as the principal Act), shall, so far as applicable, and subject to the provisions of this Act, apply to London.

Provisions as to managemen and sites of provided schools.

2.—(1) Every public elementary school provided by the local education authority within the area of any metropolitan borough shall have a body of managers. The number of those managers and the manner in which schools, in cases where it is desirable, should be grouped under one body of managers shall be determined by the council of each borough, after consultation with the local education authority, and subject to the approval of the Board of Education.

Two-thirds of every such body shall be appointed by the borough council and one-third by the local education authority; but due regard shall be had in selecting managers to the inclusion of women in the proportion of not less than one-third of the whole body of managers, and, in the case of the first body of managers, also of members chosen from the then existing bodies of managers, and the borough council and the local education authority shall carry out any directions given by the Board of Education for the purpose of giving effect to this provision.

(2) The site of any new public elementary school to be provided by the local education authority shall not be determined upon until after consultation with the council of the metropolitan borough in which the proposed site is situated, and in the case of compulsory purchase, if the council of the metropolitan borough does not concur in the proposed compulsory acquisition, the Board of Education shall not make the order authorising the purchase unless they are satisfied that the concurrence of the council of the borough should be dispensed with: Provided that, except in the case of compulsory acquisition, the site required for the enlargement of a public elementary school shall not be deemed to be a site required for a new public elementary school within the meaning of this subsection.

(3) Schools provided by the local education authority for blind, deaf, epileptic and defective children, and any other schools, which, in the opinion of the Board of Education, are not of a local character, shall not be treated for the purposes of this section as public elementary schools.

Boundary schools.

3.—(1) As from the passing of this Act, any public elementary school provided by the London School Board before the passing of this Act, which is wholly or partly situated outside the county of London, shall, for the purposes of this Act, be treated as, and

for the purposes of the principal Act be deemed to have been, wholly situated within the county of London and within the nearest metropolitan borough.

(2) Any public elementary school provided by the local education authority which is situated partly in one metropolitan borough and partly in another shall, for the purposes of this Act, be deemed to be situated in such one of these boroughs as the local education authority determine.

Modification of principal Act and interpretation.

4.—(1) The modifications of the principal Act set out in the First Schedule to this Act shall have effect for the purposes of this Act.

(2) The expression "metropolitan borough" in this Act shall include the City, and the expression "council of a metropolitan borough" shall include the mayor, aldermen and commons of the city of London in common council assembled.

Commencement, repeal, and short title.

5.—(1) This Act shall, except as expressly provided, come into operation on the appointed day, and the appointed day shall be the first day of May nineteen hundred and four, or such other day, not being more than twelve months later, as the Board of Education may appoint, and different days may be appointed for different purposes and for different provisions of this Act.

(2) In addition to the repeals effected by the principal Act, the Acts mentioned in the Second Schedule to this Act shall be repealed to the extent specified in the third column of that Schedule.

(3) This Act may be cited as the Education (London) Act, 1903; and the Education Acts, 1870 to 1902, and this Act may be cited as the Education Acts, 1870 to 1903.

SCHEDULES.

FIRST SCHEDULE.

Section 4.

MODIFICATIONS OF THE PRINCIPAL ACT.

1. References in the principal Act to the council of a borough shall not be construed as references to the council of a metropolitan borough, except—

(*a*) in paragraph (*a*) of section twenty (relating to arrangements between councils) and in subsection two of section twenty-four (relating to interpretation); and

(*b*) as respects the borough of Woolwich, so far as is necessary to enable the council of that borough to make any contribution which they are authorised to make under section nineteen of the London Government Act, 1899.

2. The provisions of section two of the principal Act, as to limit of rate, shall not apply.

3. Subsection one of section six of the principal Act (relating to the management of schools), and so much of section twelve of that Act (relating to the grouping of schools under one management) as relates to public elementary schools provided by the local education authority, shall not apply.

4. The provisoes to subsection one of section eighteen of the principal Act (relating to expenses), and subsection two of section thirteen of that Act (relating to endowments), shall not apply, but the Board of Education

may, on the application of the trustees of the endowment, or of the local education authority, direct that any money which would be payable under the said section thirteen to the county council shall be applied in manner provided by a scheme made by the Board, if the Board consider that it is expedient to make such a scheme. In any such scheme due regard shall primarily be had to the interests of the locality for which the benefits of the endowment were intended.

5. The words "a county council" in section nineteen of the principal Act (which relates to borrowing) shall, as respects borrowing by the local education authority, be construed as if they were "the London County Council."

6. Section twenty-seven of the principal Act (relating to extent, commencement and short title) shall not apply except so far as subsection three of that section is already applicable to London, and the words "the appointed day" shall be substituted for "the twenty-sixth day of March nineteen hundred and four" in that subsection.

7. Where the London County Council delegate to their education committee any powers, and the acts and proceedings of the committee as respects the exercise of those powers are not required to be submitted to the council for their approval, subsection one of section two hundred and thirty-three of the Municipal Corporations Act, 1882 (which provides for the inspection and the taking of copies of minutes), shall apply to the minutes of the committee relating to the exercise of those powers as it applies to the minutes of the council.

8. The Treasury shall be substituted for the Local Government Board in paragraph six of the Second Schedule to the principal Act.

9. Where governors or managers are appointed by the local education authority on the governing body of any institution aided by grant from the local education authority, the provisions of the scheme or trust deed of the institution imposing any limit on the number of the members of the governing body, or requiring any qualification for those members, shall not apply as respects such governors or managers.

10. References in the principal Act to the passing of that Act shall be construed as references to the passing of this Act.

11. A manager of a public elementary school provided by the local education authority shall not be appointed for a longer period than three years, but may be re-appointed.

Section 5.

SECOND SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
33 & 34 Vict. c. 75.	The Elementary Education Act, 1870.	The definition of "metropolis" in section three. Sections thirty-seven, thirty-eight and thirty-nine. Section fifty-eight. The Third Part of the Second Schedule, and the Fifth Schedule.
36 & 37 Vict. c. 86.	The Elementary Education Act, 1873.	Section sixteen.
48 & 49 Vict. c. 38.	The School Boards Act, 1885.	Section two.

CHAPTER 25.

An Act to consolidate with Amendments the Laws relating to Licensing in Scotland.

[14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Part I.

Constitution of Licensing and Appeal Courts.

Meetings of licensing courts for granting certificates.

1. For the purpose of granting certificates under this Act, there shall annually be held throughout Scotland, in lieu of the general half-yearly meetings held under the existing Acts, two general half-yearly meetings of the licensing courts to be constituted as hereinafter provided.

Burgh licensing courts.

2. For each burgh being a county of a city, and for each royal, parliamentary or police burgh containing a population of or exceeding seven thousand, and for each burgh containing a population under seven thousand but of or exceeding four thousand, the magistrates of which have power to grant certificates under the existing Acts, there shall be a separate licensing court, consisting of the magistrates of such burgh for the time being.

County licensing courts.

3.—(1) The county council of every county shall, at any general or special meeting to be held not later than the third Tuesday of December one thousand nine hundred and three, and thereafter from time to time, determine in their discretion whether the county shall be divided into districts for the purposes of this Act (hereinafter called licensing districts). It shall be lawful for the county council, where the county is divided into districts in terms of the Local Government (Scotland) Act, 1889 (hereinafter called local government districts), to determine that any one or any combination of two or more of such districts shall be a separate licensing district, but

52 & 53 Vict. c. 50.

(*a*) No licensing districts other than local government districts or combinations thereof shall be constituted; and

(*b*) No county not divided into local government districts shall be divided into licensing districts

without the consent of the Secretary for Scotland in either case both to the division and to the districts proposed. Every determination under this section shall be forthwith communicated to the Secretary for Scotland and published by advertisement in two successive weeks in a newspaper or newspapers circulating in the districts.

(2) For the purposes of this part of this Act every burgh, except those specified in the immediately preceding section, shall be deemed to form part of the county and of the local government or licensing district (if any) within which it is situate.

(3) For each county or, where a county is divided into licensing districts, for each licensing district there shall be a separate licensing court whereof the number of members shall in each case be in accordance with the scale contained in the First Schedule annexed hereto. One half of the members of such court shall in every case be elected by the justices of the peace for the county from their own number and one half by the county council from their own number.

(4) Provided always that where, for the purposes of this part of this Act, any burgh, the magistrates of which have power to grant certificates under the existing Acts, forms part of a county or district, the licensing court for such county or district shall be modified by the addition thereto of such number of members for every such burgh as the Secretary for Scotland shall determine by order under his hand, so that one member at least shall be added for every such burgh, and that the number of members for each burgh shall, as nearly as may be, bear the same proportion to the number of the court without such addition, as the population of the burgh bears to the population of the county or district excluding every such burgh: Provided further that such added members shall, in every case, be magistrates of the respective burghs, and the total number of members for any burgh shall not exceed the number of magistrates thereof.

Burgh and county courts of appeal.

4.—(1) For the purpose of hearing appeals and applications for confirmation of new certificates under this Act, there shall be a court (hereinafter called "the court of appeal"), one half of the members of which shall in every case be elected by the justices of the peace from their own number and one half shall be burgh magistrates or county councillors respectively, as hereinafter provided.

(2) Except as hereinafter provided the court of appeal from a burgh licensing court shall be—

(*a*) for each burgh being a county of a city, a separate court consisting of the members of the licensing court and of an equal number of justices of the peace for the county of a city; and

(*b*) for each royal, parliamentary or police burgh (not being a county of a city) containing a population of or exceeding twenty thousand, a separate court consisting of the members of the licensing court and of an equal number of justices of the peace for the county within which the burgh is situate; and

(*c*) in each county, for all the royal, parliamentary and police burghs situate therein containing a population of or exceeding seven thousand and under twenty thousand, one and the same court, consisting of burgh magistrates and justices of the peace for the county as specified in the Second Schedule annexed hereto.

(3) The court of appeal (*a*) from a county licensing court, or, if the county is divided into licensing districts, from the several district licensing courts, and (*b*) from any burgh licensing court for a burgh situate within the county which is not specified in the immediately preceding subsection, shall for each county be one and the same court, whereof one half of the members shall be county councillors for the county elected as hereinafter provided, and one half shall be justices of the peace for the county; and the number of members shall be such that the court shall contain three more county councillors and three more justices of the peace than the county licensing court or the licensing court for the most populous licensing district within the county, as the case may be, in accordance with the Third Schedule annexed hereto.

Election and term of office of members of courts.

5.—(1) The term of office of members of a licensing court or court of appeal being justices of the peace or county councillors, except in the case of those first elected, shall be three years. The members being justices of the peace shall be elected at the statutory meeting of quarter sessions in March one thousand nine hundred and four, and shall hold office till a meeting of justices of the peace to be held on the third Tuesday of December one thousand nine hundred and four, when they shall retire and their successors shall be elected, and thereafter such retirement and election shall take place every third year at a meeting of justices of the peace to be held on the third Tuesday of December. Every such meeting on the third Tuesday of December shall be held at the same place as the general meeting of the county council on that day. The members being county councillors shall be elected at the general meeting of the county council in December one thousand nine hundred and three or at any special meeting to be held not later than the first Tuesday of March one thousand nine hundred and four, and shall hold office till the general meeting of the county council in December one thousand nine hundred and four, when they shall retire and their successors shall be elected, and thereafter such retirement and election shall take place every third year at the general meeting of the county council in December: Provided that, in section eight of the Local Government (Scotland) Act, 1889, the expression "purposes hereinafter mentioned" shall be deemed to include the purposes of this part of this Act, subject to the condition that no county councillor representing a burgh having a separate licensing court or court of appeal, as the case may be, shall be entitled to act or vote in an election of members of a county licensing court or court of appeal respectively; and provided further that no justice of the peace, who is not entered on the valuation roll for a county or a burgh situate therein as a proprietor, tenant or occupier of lands or heritages, shall be entitled to act or vote in the election by the justices for the county of representatives from their own number to the county licensing court or court of appeal, or to a court of appeal from a burgh licensing court, or be eligible for election as a member of any of such courts.

52 & 53 Vict. c. 50.

(2) The members of a county or district licensing court, being magistrates of a burgh, and the members of a court of appeal from a burgh licensing court, being magistrates of a burgh containing a population under twenty thousand, shall, where necessary, be elected by the magistrates of the burgh in each case at a meeting to be summoned by the town clerk and to be held on any day within fourteen days after the annual election of town councillors in the year one thousand nine hundred and three, and in subsequent years as vacancies occur. The provost, or in his absence the senior bailie present, shall be chairman of such meeting. Each magistrate being a member of a county or district licensing court or of a court of appeal from a burgh licensing court shall hold office so long as he remains a magistrate of the burgh.

(3) Retiring members of a licensing court or a court of appeal shall be eligible for re-election, if otherwise qualified. A burgh magistrate or county councillor shall not be disqualified for election or membership in that capacity because he is or becomes a justice of the peace, and a justice of the peace shall not be disqualified for election or membership in that capacity because he is or becomes a burgh magistrate or a county councillor.

(4) If in any case, not otherwise provided for, a licensing court or court of appeal is not elected at the time at which it ought to be elected, or an insufficient number of members is elected for such court, the Secretary for Scotland shall by order provide for the holding of a fresh election or fresh elections for supplying any such default or insufficiency in election, at such times and in such manner as he may think expedient. No election held in pursuance of this Act shall be deemed to be vitiated in consequence of any technical defect in the proceedings which has not been prejudicial to the interests of any party concerned in such election.

(5) Where in a burgh any magistrate is disqualified from acting as a member of a licensing court or court of appeal, and no other magistrate is available, it shall be lawful for the town council to elect a councillor of the burgh to so act in room of such magistrate while he remains a magistrate of the burgh and his disqualification continues.

(6) Any casual vacancy arising in a licensing court or court of appeal from death, resignation, disqualification or other cause, may be filled by the election of a duly qualified person, at the first meeting of quarter sessions, statutory or adjourned, or of the county council, or at a special meeting of the burgh magistrates, following upon such vacancy, as the case may be, and members so elected shall in each case respectively hold office until the date of the next ordinary meeting for elections by this Act provided.

(7) A licensing court and a court of appeal shall annually elect one of their own number to act as chairman of such court, and, until a chairman is elected, and in case of his absence from any meeting, the court shall elect one of their own number present at the meeting chairman of that meeting.

(8) When on the election of a chairman an equal number of votes is given for two or more persons, the meeting shall determine

by lot which of these persons shall be the chairman, and in every other case of equality the chairman of the court or meeting shall have a second or casting vote.

(9) One half of the members of a licensing court or a court of appeal (and in no case less than two members) must be present at a meeting of such court to constitute a quorum.

(10) A licensing court or court of appeal may act notwithstanding any vacancy or vacancies caused by insufficient election or otherwise, provided that a quorum is constituted.

(11) Notwithstanding anything hereinbefore provided, the chairman of a licensing court shall have no second or casting vote on an application for a new certificate, and no such application shall be granted by such court except by a majority of the members thereof present and voting.

Dates of half-yearly meetings.

6. A burgh licensing court shall meet upon the second Tuesday of April and the third Tuesday in October in each year, and a county or district licensing court shall meet on the third Tuesday of April and the last Tuesday of October in each year; and it shall be lawful for such courts respectively to adjourn such meetings from time to time, as they shall think fit, during the period of one month next after the day of their first meeting, but no longer.

Transfer of powers and duties.

7.—(1) On and after the third Tuesday or the second Tuesday of April, as the case may be, one thousand nine hundred and four, and subject to the provisions of this Act, the general half-yearly meetings of the licensing courts constituted by this Act shall respectively be deemed to come in place of the general or district half-yearly meetings of justices or magistrates held under the existing Acts, and such courts respectively for the purpose of granting certificates shall, within the areas defined by this Act, be deemed to come in place of and shall have and may exercise all the powers and duties of the justices or the magistrates as the case may be; and every reference in any Act of Parliament, deed or instrument to the justices or the magistrates as the authority for the purpose aforesaid, or to the justices or the magistrates or one or more of them as members of such authority, or to the general or district half-yearly meetings or any meeting of justices or magistrates as such authority, or to the licensing authority, shall be read and construed as referring respectively to the licensing court or members thereof, and to the half-yearly meetings or any meeting of such court.

(2) From and after the respective dates aforesaid, and subject to the provisions of this Act, the courts of appeal constituted by this Act shall respectively, for the purposes specified and within the areas defined by this Act, be deemed to come in place of and shall have and may exercise all the powers and duties of quarter sessions, county licensing committees or joint committees for a burgh, as the case may be, and every reference in any Act of Parliament, deed or instrument to quarter sessions, county licensing committees or joint committees of burghs as the authority for the

said purposes, or to justices or magistrates, or one or more of them as members of such authority, shall be read and construed as referring to the court of appeal or members thereof.

Clerks to courts and time and place of meetings.

8.—(1) The town clerk shall by himself or his depute be the clerk to the licensing court for a burgh having a separate licensing court, and the clerk of the peace shall by himself or his deputy be the clerk to the licensing court for a county, or where a county is divided into licensing districts, for each licensing district, and shall also by himself or his deputy be the clerk to every court of appeal constituted by this Act. Subject to the provisions of this Act, the clerk to a licensing court or an appeal court constituted by this Act shall, within the areas defined by this Act, have and discharge the rights and duties under the existing Acts belonging to or devolving on the clerk to the justices or magistrates as the authority for the purpose of granting certificates, or the clerk of the peace acting as clerk to quarter sessions, county licensing committees or joint committees for a burgh, as the case may be, and all things authorised or required under the existing Acts to be done by or to the said clerks respectively may be done by or to the clerk to a licensing court or an appeal court constituted by this Act.

(2) A court of appeal from a licensing court shall have the power to make regulations from time to time with respect to the meetings of such court of appeal and the transaction of business thereat, both for the purposes of hearing applications for confirmation of new certificates and generally: Provided that, where any appeals or applications for confirmation have been lodged within the statutory period, such court shall meet for the purpose of hearing such appeals or applications at a date not later than one month after the general half-yearly meeting of the licensing court or any adjournment of the same; and provided further that, for the last-mentioned purpose and for the purpose of making regulations as aforesaid, every court of appeal shall meet at a date to be prescribed by the sheriff (not being a sheriff-substitute), not later than one month after the first general half-yearly meeting of the licensing court or any adjournment of the same in the year one thousand nine hundred and four.

(3) The meetings of a county licensing court and the meetings of a district licensing court shall be held at such place as the county council shall from time to time determine and publish by advertisement, and all existing liabilities to provide accommodation for meetings, and otherwise defray expenses in respect of proceedings of the justices acting as aforesaid, shall subsist and be applicable in respect of the meetings and proceedings of a county or district licensing court, and of the licensing court for a police burgh having a separate licensing court.

(4) The meetings of a licensing court for a burgh having a separate licensing court and of a court of appeal for a burgh being a county of a city, or a royal, parliamentary or police burgh containing a population of or exceeding twenty thousand, shall

be held in such burgh, and it shall be the duty of the town council of such royal or parliamentary burgh to provide accommodation for such meetings, and otherwise defray any necessary expenses in respect of proceedings of the licensing court or court of appeal, and, save as otherwise already chargeable against any burgh rate, to charge the same against the burgh general or police assessment.

(5) The meetings of every court of appeal, other than those specified in the immediately preceding subsection, shall be held at such place or places as the county council shall from time to time determine and publish by advertisement, and all existing liabilities to provide accommodation for meetings, and otherwise defray expenses in respect of proceedings of quarter sessions for hearing appeals under section fourteen of the Licensing (Scotland) Act, 1828, shall subsist and be applicable in respect of the meetings and proceedings of such court of appeal and of the court of appeal for a police burgh containing a population of or exceeding twenty thousand. 9 Geo. 4. c. 58.

(6) Every royal or parliamentary burgh, which, for the purposes of this part of this Act, forms part of any county or district, shall contribute to the county fund in aid of the expenditure thereout in respect of the meetings and proceedings of a county or district licensing court and the court of appeal therefrom, and every royal or parliamentary burgh, containing a population under seven thousand, but of or exceeding four thousand, or included or to be hereafter included in Part I. of the Second Schedule annexed hereto, shall contribute to the county fund in aid of expenditure incurred thereout in respect of the meetings and proceedings of the court of appeal from the burgh licensing court. For the purpose of every such contribution subsection four of section sixty and section sixty-six of the Local Government (Scotland) Act, 1889, shall apply to such expenditure as if it were referred to therein. Save as aforesaid no royal or parliamentary burgh shall be liable to contribute to the county fund in respect of the meetings or proceedings of a licensing court or court of appeal. 52 & 53 Vict. c. 50.

9.—(1) No person who is a brewer, maltster, distiller, or dealer in or retailer of exciseable liquors, or who shall be in partnership with any person as a brewer, maltster, distiller, or dealer in or retailer of exciseable liquors, shall act as a member of a licensing court or court of appeal respectively in the execution of this Act; nor shall any person, being a member of a licensing court or court of appeal, act in the granting of any certificate when he shall be the proprietor or tenant of the house or premises for which such certificate shall be applied; and everything done by such person respectively in any case in which he is so disqualified to act shall be null and void; and every person who shall knowingly or wilfully offend in any of the premises aforesaid shall forfeit and pay the sum of fifty pounds, to be recovered before the sheriff within six calendar months next after the offence has been committed: Provided that no grant of a new certificate confirmed under the Persons interested not to act as members of court

provisions of this Act shall be liable to objection on the ground that the members of the licensing court or court of appeal, which granted or confirmed the same, or any of them were not qualified to make such grant or confirmation, and provided further that a member of a licensing court or a court of appeal shall not be disqualified to act for any purpose under this Act by reason only of his being interested in a railway company which is a retailer of exciseable liquor.

(2) If in any burgh having a separate licensing court there shall not be a sufficient number of members of such court present who are qualified to grant certificates according to the directions of this Act, at any time when such certificates are hereby appointed to be granted, in such case it shall be lawful for the licensing court for the county or district in which such burgh is situate to grant certificates for such burgh, at the same time and in the same manner as they are hereby empowered to grant certificates for the county or district: Provided always that any members of the licensing court for such burgh so qualified may and are hereby authorised and empowered in such case to act along with the licensing court for such county or district in granting such certificates.

Supplemental and local provisions.

10.—(1) For the purposes of this part of this Act—

(*a*) the lower ward, middle ward and upper ward of the county of Lanark, so long as they remain local government districts, shall each be deemed to be a county, and the county council and justices of the peace for the county of Lanark shall be deemed to be the county council and justices of the peace for and in respect of the county of each ward, with power to the county council to divide such counties into licensing districts as hereinbefore provided with the consent of the Secretary for Scotland, and the clerk of the peace for each ward shall be deemed to be the clerk of the peace for and in respect of the county of such ward; and

(*b*) the burgh of Coatbridge shall be deemed to be a royal burgh; and

(*c*) the royal burgh of Banff and the police burgh of Macduff shall be deemed to form one burgh of Banff and Macduff, and the magistrates of the said burghs shall be deemed to be the magistrates of the burgh so formed, and the meetings of the licensing court for such burgh shall be held in the royal burgh of Banff, and the town clerk of the royal burgh of Banff shall be clerk to the licensing court; and

(*d*) the royal burghs of Kilrenny, Pittenweem, Anstruther Easter and Anstruther Wester shall be deemed to form one royal burgh, and the magistrates of the said burghs shall be deemed to be the magistrates of the burgh so formed, and the meetings of the licensing court for such burgh shall, except as otherwise appointed by the court, be held in the royal burgh of Anstruther Easter, and the town clerk

of the royal burgh of Anstruther Easter shall be clerk to the licensing court; and

(*e*) the boundaries of burghs shall be held to be the boundaries thereof as ascertained, fixed or determined for police purposes at the passing of this Act, or at the date of the census for the time being last taken, as the case may be.

(2) In this part of this Act the expression "population" means population according to the census for the time being last taken: Provided that the population, as stated in the Second Schedule annexed hereto, of each burgh named therein shall for the purposes of this part of this Act be deemed to be the population of such burgh according to the census of one thousand nine hundred and one, and provided further that, as soon as may be after each census, the Secretary for Scotland shall issue an order or orders under his hand declaring the population of each county, burgh and district, according to such census, and may prescribe therein the date or dates at which alterations in the licensing courts and courts of appeal consequential on any increase or decrease of population shall take effect. Provided further that, where according to the census last taken the population of a burgh or burghs in any county has so increased or decreased as to necessitate an alteration in the Second Schedule annexed hereto, the Secretary for Scotland shall by order under his hand alter the said Schedule so that every burgh in the county containing a population of or exceeding seven thousand and under twenty thousand (and no other burgh) shall be included therein, and so as to provide for due representation on the court of appeal of every burgh so included. Every order under this section shall be laid before Parliament.

(3) Any question that may arise as to the county or district in which a burgh is situate or of which it is for the purposes of this part of this Act to be deemed to form part shall be determined by the Secretary for Scotland, whose decision shall be final.

PART II.

POWERS, DUTIES AND PROCEDURE OF LICENSING AND APPEAL COURTS.

Certificates to keep inns, &c. to be granted at meetings.

11.—(1) At any general half-yearly meeting of a licensing court or at any adjournment thereof, within the respective periods aforesaid, it shall be lawful for the said court to grant certificates for the year or half-year next ensuing as the case may be, commencing and terminating as after mentioned, to such and so many persons as the court then assembled at such meeting shall think meet and convenient, to keep inns and hotels or public-houses, within which exciseable liquors may, under excise licences, be sold by retail, to be drunk or consumed in the premises, within the jurisdiction of such court; and such court shall deliver or cause to be delivered to every person so authorised or empowered a certificate, written or printed on paper in such form as herein-after directed: Provided always that all such meetings shall be held

with open doors, and that it shall not be competent to refuse the renewal of any certificate without hearing the party in support of the application for renewal in open court, if such party shall think fit to attend, and any certificate granted otherwise than at such meetings shall be void and of no effect: Provided always that nothing herein contained shall prevent such court from granting or any person from obtaining a certificate as a grocer for the sale of exciseable liquors by retail, but not to be consumed on the premises, and, notwithstanding the repeal of any enactment by this Act, the duty payable upon any excise licence granted in pursuance of such a certificate shall continue to be at the same rate as was exigible for a similar licence immediately before the passing of this Act.

(2) It shall not be lawful for a licensing court to grant to any blacksmith at his smithy, or at any house occupied by him in the immediate vicinity of the same, any certificate to sell exciseable liquors, anything in any Act of Parliament to the contrary notwithstanding.

(3) It shall not be lawful for a licensing court to grant a certificate except to an individual person of the age of not less than twenty-one years.

Dates of commencement and termination of certificate.

12. Every certificate to sell exciseable liquors, granted under the existing Acts and this Act, shall commence on the twenty-eighth day of May or the twenty-eighth day of November, according to the period of the year at which such certificate is granted, and shall continue in force until the twenty-eighth day of May following.

Confirmation of new certificates required.

13. A grant of a new certificate by any licensing court shall not be valid unless it shall be confirmed by the court of appeal from such licensing court.

Form, &c. of applications for certificates.

14. If any person shall be desirous of keeping an inn and hotel, public-house, shop or premises for the sale therein of exciseable liquors, whether to be consumed on the premises or not, he shall, previous to the granting to him of a certificate for that purpose or the renewal of any such certificate already granted, truly fill up an application for such certificate in the form contained in the first part of the Fourth Schedule annexed hereto, and shall truly answer the several queries therein contained; and printed forms for such application shall be supplied to the applicant by the clerk to the licensing court within whose jurisdiction such inn and hotel, public-house, shop or premises shall be situate, upon payment to him of a fee of sixpence for each copy thereof, and every such application shall be filled up in a fair and legible hand, and shall be signed by the applicant or his agent thereunto authorised, and shall be lodged by the applicant with such clerk fourteen days at least before the general meeting of the licensing court for granting and renewing certificates: Provided always that it shall not be lawful for a licensing court to entertain any application for any new certificate until a report shall have been made and subscribed by a duly qualified member of such court, stating that the premises for which

the certificate is sought are of suitable construction and accommodation for the purpose applied for, and accompanied with a certificate as to the applicant's character and qualification, signed by a duly qualified member of such court, and which said report and certificate respectively shall be in the form, or as nearly as may be in the form, contained in the second part of the Fourth Schedule annexed hereto: Provided also that the court of appeal to whom any appeal shall be made from a deliverance, granting or refusing any application for a certificate, may by themselves, or any one or more of their number, inspect the premises for which a certificate is sought, and review the said report.

Licensing court may make regulations regarding applications.

15. It shall be lawful for a licensing court assembled at any general meeting to make such regulations and rules as they shall think fit, not being inconsistent with the provisions of this Act, as to the manner of making such applications, as well for ascertaining the character of the applicants as whether it be expedient to grant such certificates in the places in which they are sought to be obtained, and also as to the mode of proceeding in transferring certificates as herein-after mentioned.

Names and designations of applicants and result of applications to be entered in a book.

16. The names and designations of all persons who make applications for such certificates shall be entered in a book or register, to be kept by the clerk to the licensing court, wherein the names and designations of new applicants shall be entered separately, which book or register shall contain columns for the designations of such applicants, for the names of the persons who recommend them, for the house or premises and place for which such certificate is sought, for the manner in which the application is disposed of, and for noting a memorandum of convictions under this Act against such persons respectively, and the dates thereof, and the cases of new applicants shall not be considered until all the other cases shall have been disposed of; and, at the end of the meeting for each day, a deliverance shall be written in such book or register, specifying whether such applications respectively were granted or refused, or continued for further inquiry, or how otherwise disposed of; and such deliverance shall be then and there signed on behalf of the court by the chairman of the meeting, according to the form contained in the Fifth Schedule annexed hereto; and it shall not be lawful for the court at any adjourned meeting to alter anything which was done at any previous meeting in granting or refusing such certificates; and the clerk to such court shall make out a certificate in the form contained in the Sixth Schedule annexed hereto, specifying the date from which such certificate shall be current.

Lists of applications and certificate holders to be published, &c.

17. The clerk to the licensing court shall, at least ten days before the general meeting of such court, make out and advertise, at least twice in one or more newspapers printed or generally circulated in the district, a complete list, in the form, or as nearly as may be in the form, set forth in the Fifth Schedule annexed hereto, of all applications for new certificates within the jurisdiction of such court, and of all applications by new tenants or occupants

of premises at the time certificated; and also of all applications for renewal of certificates which have been transferred during the currency of the previous half year; and such clerks shall also, within the said time, transmit by post, to the registrar of every parish within such jurisdiction, a copy of the list of such applications in so far as applicable to the parish of such registrar who is hereby required to preserve the same, and to give access thereto to any officer of Inland Revenue without payment, and to any other person applying for inspection thereof upon payment of a fee of one shilling for such inspection; and it shall be lawful for such court, at any April half-yearly meeting, if they shall think fit, to cause a descriptive list of persons to whom certificates shall have been granted for the year next ensuing, with the premises to which such certificates apply, within their jurisdiction, to be made up and printed, in such form as they shall direct, for the use of themselves and others concerned in the execution of this Act, the expense whereof shall be paid out of the respective funds in this Act specified into which penalties and expenses shall be paid.

Certificate of character and attendance of holder not necessary for renewal of certificate.

18.—(1) Where any person shall be desirous of obtaining a renewal of any subsisting certificate, granted to him in terms of the existing Acts or this Act, which has not been transferred during the current half year, it shall not be necessary that he produce along with his application any recommendation or certificate of character and qualification: Provided always that such exemption shall not be held to interfere with the powers of the licensing court under this Act to deal with such application.

(2) Where a person holding a certificate applies for the renewal of his certificate, he need not attend in person at the meeting for granting certificates, unless he is required by the licensing court so to attend.

Certain parties may object to the granting or renewal of certificates.

19. Any person or the agent of any person owning or occupying property in the neighbourhood of the house or premises, in respect of which any certificate or renewal of any certificate shall be applied for, may object to the granting or renewal of such certificate by lodging at any time, not less than five days before the general meeting of the licensing court, with the clerk to such court a notice in writing to that effect, signed by such person or his agent, specifying the grounds of such objection, which objection shall be heard at the then ensuing general meeting; and if such objection shall be considered of sufficient importance by the court in such general meeting, and shall be proved to their satisfaction, the said certificate shall not be granted or renewed: Provided always that no such objection shall be entertained unless it shall be proved or admitted that the person so objecting or his agent did, at least five days before such general meeting, deliver or cause to be delivered to the person applying for such certificate a copy of the aforesaid notice, or did forward to him by post, or did leave for him a copy thereof, addressed to him at his place of abode mentioned in his application, or, in the case of an application for the renewal of any certificate, at the licensed premises for which the application

is made; and it shall be lawful for the court, in the event of their considering the allegations and objections against a renewal of a certificate contained in any such notice frivolous or vexatious or unauthorised, to find the person or agent, as the case may be, making the same liable in such expenses as they shall deem proper, and the amount of the expenses so found due shall be recoverable in the sheriffs' or justices' of the peace small debt court having jurisdiction, and a certified copy of the aforesaid finding shall be sufficient evidence and authority for decerning for the amount thereof with expenses.

Court may hear certain objections without notice.

20. It shall be lawful for the licensing court at any general meeting to hear and determine, without the notice required by the immediately preceding section, any objections to be made verbally or in writing by any member of such court, or by the procurator fiscal, chief constable or superintendent of police against the granting or renewing of any certificate.

Power to courts to summon witnesses.

21. It shall be lawful for any member of a licensing court or court of appeal, in any application for the granting or renewing of a certificate under the provisions of this Act, or in dealing with any objection to such applications, or in any other matter relating to the proceedings of such court arising under the provisions of this Act, to grant warrant to summon witnesses and havers on behalf of any party interested; and it shall be lawful for such court or any member thereof, before whom respectively any such application, objection or matter shall be depending, to examine all such witnesses and havers on oath, and to do and perform all things necessary for the due and proper hearing and determination of the matter. And any person summoned as a witness or as a haver to appear before such court touching any matter arising out of this Act, either on the part of the complainer or of the person complained against, or of any person interested in such matter, who shall neglect or refuse to appear at the time and place for that purpose appointed, and who shall not make such reasonable excuse for such neglect or refusal as shall be admitted and allowed by such court, may, when it shall be proved on oath that he has been duly summoned at least twenty-four hours before the meeting of the court, be apprehended and committed to prison under the warrant of the said court signed on behalf thereof by the chairman of the meeting and countersigned by the clerk of such court, till he finds security to appear and give evidence; and any person who shall so neglect or refuse to appear, or who appearing shall refuse to be examined on oath, shall thereby be guilty of an offence, and on being convicted thereof shall forfeit and pay any sum not exceeding five pounds, and if any person, who under examination on oath before such court in any matter arising under the provisions of this Act, shall prevaricate or wilfully conceal the truth, it shall be lawful to such court, without any formal complaint and in a summary manner, to adjudge the person so offending to be imprisoned for any period not exceeding sixty days, or to forfeit and pay a penalty not exceeding five pounds, and the sentence awarding such punishment shall set forth shortly the nature of the offence, and shall be signed and countersigned as aforesaid.

Appeal from decision of licensing court to court of appeal.

22. If any member of a licensing court, or proprietor or occupier of any house or premises in respect whereof any such certificate shall be applied for, or if any proprietor or occupier of property in the neighbourhood of such house, who has objected before the licensing court to the granting or renewal of any such certificate, shall be dissatisfied with any proceeding of any licensing court assembled for granting certificates as aforesaid, whether in granting or refusing or otherwise disposing of any such application, it shall be lawful to such member of the licensing court, proprietor or occupier to appeal therefrom to the next court of appeal from such licensing court: Provided always that such appeal shall be lodged with the clerk to such court of appeal within ten days after such proceeding; and provided that such appellant, being a proprietor or occupier as aforesaid, shall find caution to abide such appeal and the expenses thereof, and shall give intimation of such appeal to the opposite party and to the licensing court of whose proceeding he complains.

Refusal of new certificate by licensing court to be final.

23. Notwithstanding anything contained in the immediately preceding section or in any other enactment, no appeal shall lie to any court of appeal against any proceeding of any licensing court assembled for granting certificates as aforesaid, in refusing any application for a new certificate, but every such proceeding and refusal shall be final.

Penalty on clerk for unduly giving or refusing certificate.

24. If any clerk to a licensing court shall knowingly and wilfully issue or deliver any such certificate as aforesaid, contrary to the deliverance in such book or register as aforesaid, or to any person not duly authorised to receive the same by such court, or if any such clerk shall knowingly and wilfully insert any untrue date in any such certificate, or shall refuse to deliver such certificate to any person duly authorised as aforesaid to receive the same, every such clerk shall for every such offence forfeit the sum of twenty pounds, if convicted of such offence before the sheriff during the period for which such certificate appears to have been granted or ought to have been granted, or within six months after the expiry of the said period.

List of persons who have obtained certificates to be sent to the inland revenue collector of the district.

25. Within eight days next after the time during which such meetings as aforesaid may be held respectively shall have expired, the clerk to the licensing court shall transmit to the collector of inland revenue, in the district in which any such certificate shall have been granted, a list of all the persons therein who have obtained such certificates for that district for the current year, which list shall be made out from the book or register hereinbefore appointed to be kept by such clerk, and shall contain the same heads and titles, filled up according to the deliverance signed on behalf of the court by the chairman of the meeting; and every such list, when so made out, shall be duly certified by the subscription of such clerk, and transmitted as aforesaid; and such clerk shall, upon the delivery thereof, be entitled to receive from such collector as aforesaid a remuneration for his trouble in making out the same, at and after the rate of one penny for the name of each person contained in such list, to whom it has been resolved that a certificate

shall be granted as aforesaid; and if any such clerk shall refuse or neglect to make out and send such lists as aforesaid, he shall for every such offence forfeit the sum of five pounds, to be recovered, with the authority of the Commissioners of Inland Revenue, before the sheriff, within six months next after the offence has been committed.

Clerk to make a duplicate of the certificate when required.

26. Every clerk to a licensing court shall, when lawfully required, make out from the book or register to be kept by him as aforesaid a duplicate or counterpart of any certificate issued by him, for which he shall be entitled to receive a fee of one shilling, which duplicate, being duly certified by such clerk, shall be admitted as sufficient evidence of the facts therein contained, and of the terms of such certificate, in all courts and legal proceedings, without production of the particular certificate originally granted.

Fees to clerks.

27.—(1) Subject as hereinafter provided it shall not be lawful for the clerk of the peace, or sheriff clerk of any county or district, or the town clerk of any burgh, to demand or receive any greater or additional fee or remuneration for anything done under this Act than is authorised by the Seventh Schedule annexed hereto, and the fees demandable in respect of proceedings for the confirmation of certificates under this Act shall be as nearly as may be the same as those for like proceedings authorised by the said Schedule.

(2) The town clerks of those parliamentary burghs, the magistrates of which were not at the date of passing of the Public Houses Acts Amendment (Scotland) Act, 1862, authorised to grant certificates, shall pay to any clerks of the peace, who held office at that date and continue to hold such office at the passing of this Act in the counties within which such burghs are situated, one half of the fees received by such town clerks in respect of applications for certificates and disposal of the same under this Act during the time such clerks of the peace shall continue to hold office. 25 & 26 Vict. c. 35.

(3) It shall be lawful for the Court of Session, on the application of the Lord Advocate, from time to time by Act of Sederunt, to prescribe a table or tables of fees payable to a sheriff clerk or town clerk for anything done under this Act, and of fees payable to a clerk of the peace for anything done under this Act or otherwise; and any table so prescribed shall have full force and effect notwithstanding any general or special provision contained in this or any other Act; and thereafter no such clerk as aforesaid shall demand or receive any greater or additional fee or remuneration for anything so done than is authorised in such table.

(4) The town clerk of any burgh, the magistrates of which have not power to grant certificates under the existing Acts, shall pay to the clerk of the peace holding office at the passing of this Act in the county within which such burgh is situate, so long as such clerk of the peace shall continue to hold office, one-half of the fees from time to time received by him in respect of all duties transferred or which may be transferred by this Act from such clerk of the peace to such town clerk.

(5) The clerk of the peace of every county shall pay to the town clerk holding office at the passing of this Act of any burgh

situate within such county, the magistrates of which have power to grant certificates under the existing Acts, so long as such town clerk shall continue to hold office, one-half of the fees from time to time received by him in respect of all duties transferred or which may be transferred by this Act from such town clerk to such clerk of the peace.

(6) Where, by the operation of this Act, duties are transferred from one clerk of the peace to another clerk of the peace, the clerk of the peace to whom such duties are transferred shall pay to any clerk of the peace holding office at the passing of this Act from whom such duties are transferred, so long as such last-mentioned clerk shall continue to hold office, one-half of the fees from time to time received by him in respect of all duties so transferred.

(7) If any clerk shall demand or receive any greater or additional fee, or any other reward for anything done under this Act than is authorised thereby, such clerk so offending shall be liable on summary conviction to a fine of five pounds for every such offence.

Proceedings for confirming new certificate.

28.—(1) The application for confirmation of a certificate shall be in the form as nearly as may be set forth in the Eighth Schedule annexed hereto, and shall be lodged (together with the certificate) with the clerk to the court of appeal within ten days after the grant of the certificate.

(2) The court of appeal shall have power to award expenses to or against any party to such proceedings, except the procurator fiscal for the public interest, as they shall think just.

Opposition to confirmation of new certificates.

29. Any person who appears before a licensing court, and opposes the grant of a new certificate, and no other person, excepting the procurator fiscal for the public interest, may appear and oppose the confirmation of such grant by the court of appeal.

Deliverances to be entered in book or register.

30. All deliverances of or applications to a court of appeal, whether for the confirmation of new certificates or otherwise, shall be entered in the book or register appointed to be kept in terms of the Fifth Schedule annexed hereto, and where the clerk to the court of appeal is not clerk to the licensing court, he shall, for the purpose of such entry, forthwith intimate all such deliverances and applications to the clerk to the licensing court.

Powers to transfer certificates.

31.—(1) A licensing court may at any October half-yearly meeting grant to a new tenant or occupant a transfer of any certificate then subsisting for any house or premises as aforesaid.

(2) If any person holding a certificate for any house or premises as aforesaid shall die before the expiration of his certificate, or in the case of the bankruptcy, insolvency or incapacity of the holder of such certificate occurring before the expiration of his certificate, it shall be lawful for any two or more of the members of the licensing court, within whose jurisdiction such house and premises are situated, to grant to the executors, representatives or disponees of the person so dying, or to the trustee, judicial factor or curator bonis to such holder, and who shall respectively be possessed of such house or premises, a transfer of the certificate for such house

or premises to keep and continue the same as before such death, bankruptcy, insolvency or incapacity until the next general half-yearly meeting of the licensing court.

Form of transfer of certificate.

32. The transfer certificate to be granted as aforesaid shall be in the form contained in the Ninth Schedule annexed hereto, and shall be held on the same terms and conditions, and in the same manner, as the certificate originally granted, for which transfer certificate a fee of one shilling and no more shall be payable to the clerk.

Power to postpone consideration of application.

33. Where any applicant for the grant or renewal of a certificate has through inadvertence or misadventure failed to comply with any of the preliminary requirements of this Act, or where having duly lodged his application an applicant has died before the meeting of the licensing court, the court may, if they shall so think fit, and upon such terms as they think proper, postpone the consideration of the application to an adjourned meeting, and, if at such adjourned meeting they are satisfied that such terms have been complied with, they may proceed to grant such certificate to such applicant or, as the case may be, to his executors, representatives or disponees (being possessed of the premises in respect of which the application has been made), as if the preliminary requirements of this Act had been complied with.

Forms of certificates.

34. Subject as hereinafter provided the forms of certificate granted under the powers of this Act shall be those contained in the Sixth Schedule annexed hereto: Provided that every certificate in force at the commencement of this Act shall be read as if after the words "breach of the peace" occurring therein there were inserted the word "drunkenness."

Power to vary form and hours of certificates.

35. It shall be lawful for a licensing court, where they shall deem it inexpedient to grant to any person a certificate in the form applied for, to grant him a certificate in any other of the forms contained in the Sixth Schedule annexed hereto: Provided always that, in any particular locality within any county or district or burgh requiring other hours for opening and closing inns and hotels and public-houses than those specified in such forms of certificates applicable thereto, it shall be lawful for such court to insert in such certificates such other hours, not being earlier than six of the clock or later than eight of the clock in the morning for opening, or earlier than nine of the clock or later than eleven of the clock in the evening for closing the same, as they shall think fit.

Certificate to be confined to one house and premises.

36. No such certificate as aforesaid shall entitle any person to keep an inn and hotel or public-house, or to obtain an excise licence for selling exciseable liquors, by retail, to be drunk or consumed in any other house or premises than the house and premises specified in such certificate: Provided always that nothing in this Act contained shall be construed to prohibit any person, who shall have obtained such certificate, from selling exciseable liquors in houses, booths or other places, at the time and within the limits of the ground, town or place in or upon

which is held any lawful fair, in the same parish with the house or premises for which any person shall have obtained a certificate as aforesaid, or in any parish immediately adjoining thereto.

Certificates for the sale of spirits and wine to include authority to sell porter, ale, beer, &c.

37. Every certificate granted or to be hereafter granted for the sale by retail in any house or premises of spirits or wine shall include an authority for the sale by retail in such house or premises of porter, ale, beer, cyder and perry, and such certificate shall have the effect of enabling the party in favour of whom the same shall have been granted to obtain any licence for such purposes: Provided always that nothing herein contained shall be held to prevent the licensing court from granting a certificate in any of the forms in the Sixth Schedule annexed hereto, for the sale by retail of wine, porter, ale, beer, cyder or perry, or of porter, ale, beer, cyder or perry only.

Six-day and early closing certificates.

38.—(1) Where, on the occasion of an application for a new certificate or transfer or renewal of a certificate for an inn and hotel, the applicant at the time of his application applies to the licensing court to insert in his certificate a condition that he shall keep the premises, in respect of which such certificate is or is to be granted, closed during the whole of Sunday, the licensing court shall modify such certificate by the omission therefrom of the words "and travellers."

(2) Where, on the occasion of any application for a new certificate or transfer or renewal of a certificate for an inn and hotel or a public-house, the applicant applies to the licensing court to insert in his certificate a condition that he shall close the premises, in respect of which such certificate is or is to be granted, one hour earlier at night than such premises would otherwise have to be closed, the licensing court shall modify such certificate by the insertion therein of words importing such condition.

(3) Nothing in this Act shall preclude the keeper of a licensed inn and hotel holding a six days' certificate from selling and giving out exciseable liquor on Sunday to any person who is lodging in his inn and hotel.

Certificates granted contrary to this Act void.

39. If any certificate shall be granted contrary to the terms and provisions of this Act the same shall be null and void to all intents and purposes.

Special permission to keep houses, &c. open during particular times.

40. On a representation being made to any two members of a licensing court, by any person holding a certificate for keeping an inn and hotel or public-house, and duly licensed to sell exciseable liquors to be consumed on the premises, that it is intended that any public or special entertainment shall take place therein, or in any other place or premises situated within the jurisdiction of such court, during any particular time, such two members of the licensing court may, if they shall think fit, and on being satisfied that such inn and hotel or public-house, place or premises possesses the necessary accommodation, and that the entertainment is for a public or special occasion of a legitimate and proper character and not originating directly or indirectly with the person holding

such certificate, grant such person a special permission in writing either—

(1) to keep such inn and hotel or public-house, place or premises open and to sell therein, on such public or special occasion, and for that purpose only, such exciseable liquors as he may be duly licensed to sell as aforesaid during such time, and beyond the hour prescribed by his certificate for closing, Sunday excepted; or

(2) to open any restaurant, for which a public-house certificate is held, or keep the same open for the sale and consumption of provisions and refreshments of any kind other than exciseable liquors, on such public or special occasion, and for that purpose only during such time, and before or beyond the hours prescribed by his certificate for opening and closing respectively, Sunday excepted,

and in either case under such regulations as such members of the licensing court shall think fit to appoint; and it shall be lawful for a licensing court, at any April half-yearly meeting for the granting of certificates, to make such general regulations touching such permissions as they shall think fit, and such special permissions shall be subject to such general regulations: Provided always that no such special permission shall be granted unless forty-eight hours at least before applying for such permission the applicant has served on the chief constable or superintendent of police of the district notice of his intention to apply for the permission, setting out his name and address, the place and occasion in respect of which the permission is required, the persons to whom the application is intended to be made, the period for which the permission is to be in force and the hours to be specified in the permission: and provided further that the person obtaining such special permission shall lodge the same with the chief constable or superintendent of police of the district at least twenty-four hours before the commencement of such public or special entertainment, and such chief constable or superintendent of police shall furnish such person with a certified copy thereof, which shall be shown to any constable requiring to see the same: and provided also that the party holding such special permission to sell exciseable liquors shall also have obtained an occasional excise licence in that behalf.

Licensing court may make bye-laws.

41.—(1) Without prejudice to their other powers under this Act, a licensing court may from time to time make byelaws as they think fit for the purposes after mentioned, videlicet:—

(*a*) for closing licensed premises wholly or partially on New Year's Day, and on such other days not being more than four in any one year as the licensing court may deem fit and expedient for special reasons;

(*b*) for enforcing non-residence of a certificate holder upon licensed premises, or complete separation of such premises from his dwelling-house;

(*c*) for requiring all wines and spirits kept by a grocer within licensed premises to be sold in corked or stoppered bottles, vessels, jars or casks, but the byelaw shall not apply to

licensed premises where no groceries are kept or sold, and where a bonâ fide wholesale business in exciseable liquors is carried on;

(*d*) for requiring every holder of a certificate authorising the consumption of exciseable liquors upon the premises to keep, and from day to day renew, a sufficient supply of drinking water and such eatables, all so displayed as the byelaw shall specify, and requiring him to offer and supply the same as may be laid down in the byelaw;

(*e*) for fixing the procedure to be followed in making applications for special permissions;

(*f*) for printing a list of all applications coming before any meeting of the licensing court, with other information as may be considered by them necessary.

(2) A byelaw made by a licensing court under this section shall not come into operation until it has been confirmed by the Secretary for Scotland.

(3) The Secretary for Scotland may, by order under his hand, provide for the publication of all byelaws under this section, both as proposed to be made and as confirmed, so as to afford due notice thereof, and an opportunity of objecting to any proposed byelaw, to persons interested.

(4) Any person holding a certificate for the sale of exciseable liquors who shall commit a breach of any byelaw under this section shall be deemed guilty of a breach of his certificate, and shall, on conviction thereof, be liable in the penalties and expenses and forfeitures for such offence by this Act provided.

(5) A copy of any byelaws made under this section signed and certified by the clerk to a licensing court to be a true copy and to have been duly confirmed shall be evidence, until the contrary is proved, in all legal proceedings of the due making, confirmation and existence of such byelaws, without further or other proof.

Control of licensing court over structure of licensed premises.

42.—(1) Where a person is intending to apply for a new certificate for the sale of exciseable liquors by retail to be consumed on the premises, he shall along with his application deposit with the clerk to the licensing court a plan of the premises in respect of which the application is to be made.

(2) Any reconstruction of or alteration in any licensed premises, for the sale by retail of exciseable liquors to be consumed thereon, shall not be made without the consent of the licensing court assembled either at the general half-yearly meeting or at any adjournment thereof, or at such other time in the course of the year as the licensing court may fix, and the licensing court may, before giving their consent, require plans of the proposed reconstruction or alterations to be deposited with their clerk at such time as they may determine; and if any such reconstruction or alteration is made, save under the order of some lawful authority, without such consent as aforesaid, the sheriff, on a complaint at the instance of such clerk in the sheriff court, may by order declare the certificate to be forfeited, or direct that, within a time fixed by the order, the premises shall be restored to their original condition.

(3) On any application for the renewal of a certificate for the sale by retail of exciseable liquors to be consumed on the premises, the licensing court may require a plan of the premises to be produced before them and to be deposited with their clerk, and on renewing any such certificate they may, by order, direct that, within a time fixed by the order, such alterations as they think reasonably necessary to secure the proper conduct of the business shall be made in that part of the premises where exciseable liquor is sold or consumed, but any such order shall be subject to an appeal to a court of appeal in terms of this Act, and if any such order for structural alteration is made and complied with, no further requisition for the structural alteration of the premises shall be made within the next five years in the event of the certificate being renewed from year to year during that period. If the person holding a certificate makes default in complying with any such order, he shall, on summary conviction before the sheriff, upon a complaint at the instance of such clerk, be liable to a fine not exceeding twenty shillings for every day during which the default continues.

(4) Any person interested in any premises about to be constructed or in course of construction for the purpose of being used as premises for the sale of exciseable liquors to be consumed on the premises may apply to the licensing court and to the court of appeal for a provisional grant and confirmation of a certificate in respect of such premises, and the licensing court and court of appeal, if satisfied with the plans submitted to them of such premises, and that, if such premises had been actually constructed in accordance with such plans, they would on application have granted and confirmed such a certificate in respect thereof, may make such provisional grant and order of confirmation accordingly. A provisional grant and order of confirmation shall not be valid until it has been declared to be final by an order of the licensing court made, after such notice has been given as may be required by the licensing court, at a general half-yearly meeting or at an adjourned meeting thereof. Such declaration shall be made if the licensing court are satisfied that the premises have been completed in accordance with such plans as aforesaid, and are also satisfied that no objection can be made to the character of the holder of such provisional certificate. The licensing court may also grant a provisional certificate to a holder of any form of certificate to enable him to carry on business in temporary premises during the reconstruction of his licensed premises. A provisional grant and confirmation of a certificate shall be subject to the same conditions, as to the giving of notices and generally as to procedure, to which such grant and confirmation would be subject if they respectively were not provisional.

Part III

Excise Licences.

43. No licence for the sale of spirits, wine, porter, ale, beer, cyder, perry or other exciseable liquors by retail, whether to be

Excise licence for exciseable liquors not to

be granted without certificate.

drunk or consumed on the premises of the person licensed or not, shall be granted by the Commissioners of Inland Revenue, or by any officer of Inland Revenue, to any person in Scotland who shall not produce to the said Commissioners or officer a certificate granted in terms of this Act, enabling the party to obtain such licence, and every licence which shall be granted contrary to the terms of this Act shall be null and void to all intents and purposes.

Excise licence for table beer not to be granted without certificate. 24 & 25 Vict. c. 21.

44. No licence in the terms of the Revenue (No. 1) Act, 1861, for the sale in any house, shop or premises of table beer at a price not exceeding one penny halfpenny the quart, and not to be drunk on the premises, shall be granted by the Commissioners or by any officer of Inland Revenue to any person in Scotland who shall not produce to the said Commissioners or officer a certificate in terms of this Act, and such certificate shall be applied for, granted, confirmed, transferred and renewed in the manner and subject to all the provisions applicable to other certificates in the like circumstances granted, confirmed, transferred and renewed in terms of this Act, and, mutatis mutandis, may be in the form No. 3 (so far as the same is applicable) of the Sixth Schedule annexed hereto.

Excise licence for sweets not to be granted without certificate.

45. No licence for the sale of sweets by retail, whether to be drunk or consumed on the premises of the person licensed or not, shall be granted by the Commissioners or by any officer of Inland Revenue to any person who shall not produce to the said Commissioners or officer a certificate granted in terms of this Act, enabling the party to obtain such licence, and such certificate shall be applied for, granted, confirmed, transferred and renewed in the manner and subject to all the provisions applicable to other certificates in the like circumstances granted, confirmed, transferred and renewed in terms of this Act, and, mutatis mutandis, may be in the Form No. 2, or in the Form No. 3 (so far as the same is applicable) of the Sixth Schedule annexed hereto.

Forfeiture of excise wholesale licences in certain cases.

46. Every holder of an excise licence for the sale of exciseable liquor obtained without the production of a certificate from a licensing court, who shall be guilty of an offence against the provisions of the sections of this Act whereof the marginal notes are respectively "Distribution of liquor from vans," "Penalties for trafficking without certificate," "Penalty for bartering or selling spirits without certificate" and "Penalty for hawking exciseable liquors," or any of such provisions, or of knowingly permitting any breach of the peace, drunkenness, or riotous and disorderly conduct within his premises, or selling or supplying exciseable liquors to persons who are in a state of intoxication, or selling or giving out the same on a Sunday, shall, on conviction thereof, forfeit such licence, and shall be incapable of obtaining or holding any such licence for a period of two years from the date of such conviction, and it shall be the duty of the clerk of the convicting court to transmit forthwith to the Commissioners of Inland Revenue the particulars of any such conviction.

47. Notwithstanding anything contained in the Excise Act, 1835, no licence to sell exciseable liquors in any theatre or other place of public entertainment, erected after the commencement of this Act, shall be granted by the Commissioners of Inland Revenue to any person who shall not produce a certificate granted in terms of this Act.

Excise licence for new theatre not to be granted without certificate. 5 & 6 Will. 4. c. 39.

48. The holder of a six-day certificate or of an early closing certificate may obtain from the Commissioners of Inland Revenue any licence granted by such Commissioners which he is entitled to obtain in pursuance of any such certificate, upon payment of six-seventh parts of the duty which would otherwise be payable by him for a similar licence not limited to six days or to such early closing respectively ; and the holder of a certificate containing conditions rendering such certificate a six-day certificate as well as an early closing certificate shall be entitled to a remission of two-sevenths of the duty. In this section the expression "six-day certificate" shall include a certificate for a public-house in Scotland.

Remission of duty in case of six-day and early closing excise licence.

49. Where any licensing court refuses to renew a certificate, and an appeal against such refusal is duly lodged, and such certificate expires before the appeal is determined, the Commissioners of Inland Revenue may, by order, permit the person, whose certificate is refused, to carry on his business during the pendency of the appeal upon such conditions as they think just, and subject to such conditions any person so permitted may, during the continuance of such order, carry on his business in the same manner as if the renewal of the certificate had not been refused.

Continuance of licence during pendency of appeal against licensing court's refusal to renew.

50. Notwithstanding any enactment to the contrary, it shall not be necessary for a person holding a canteen under the authority of a Secretary of State or of the Admiralty to obtain a certificate to enable him to obtain or hold any excise licence for the sale of any exciseable liquor, and an excise licence may be granted to any such person accordingly.

Excise licence for naval and military canteens may be granted without certificate.

51. Every excise licence for the sale by retail of any exciseable liquor, whether to be consumed on the premises or not, which shall be taken out in Scotland shall expire on the twenty-eighth day of May following the granting thereof, anything in the Excise Licences Act, 1825, or in any other Act contained to the contrary notwithstanding.

Date of termination of excise licence. 6 Geo. 4. c. 81.

Part IV.

Offences and Penalties.

52. All exciseable liquor sold by retail by a holder of a certificate shall, unless sold in cask or bottle, or in quantities less than a pint, be sold in measures marked according to the imperial standards. Every person, who acts or suffers any person under his control or in his employment to act in contravention of this section, shall be liable to a penalty not exceeding for the first offence ten pounds, and not exceeding for any subsequent offence twenty

Sale to be by standard measure.

pounds, and shall also be liable to forfeit the illegal measure in which the liquor was sold.

Penalties for breach of certificate.

53. Every certificate, to be granted under the authority of this Act, shall be and be held on the terms, provisions and conditions therein contained; and in case any person holding such certificate, and having any excise licence for the sale of exciseable liquors, to him in that behalf granted, shall offend against any of the terms and conditions contained in such certificate, every person so offending shall for every such offence forfeit and undergo the several penalties and disabilities hereinafter mentioned; that is to say, for the first offence a sum not exceeding five pounds, with the expenses of conviction, to be ascertained upon conviction; and, in addition to such penalty, the certificate granted to such person may be declared to be forfeited and to become void and null; and for the second offence the offender shall forfeit a sum not exceeding ten pounds, with the expenses of conviction, to be ascertained upon conviction; and, in addition to such penalty, the certificate granted to such person may be declared to be forfeited and to become void and null; and for the third offence, the offender shall forfeit a sum not exceeding twenty pounds, with the expenses of conviction, to be ascertained upon conviction; and, in addition to such penalty, the certificate granted to such person shall be declared to be forfeited and to become void and null.

What shall be deemed second and third offences.

54. If any person shall have been convicted of any breach of the terms and conditions of the certificate held by him in one year as a first offence, and such person shall, in the following or any subsequent year within three years after, be charged with a breach of the terms and conditions of any other such certificate subsequently obtained by such person, and be thereof convicted, such conviction shall be deemed and taken to be a conviction for a second offence; and so in like manner, if such person shall be again convicted within three years, it shall be deemed and taken to be a conviction for a third offence within the meaning of this Act; and that notwithstanding of such second or third offence being in breach of other and different terms and conditions, or of other and different certificates, obtained subsequently to the certificate for the breach of the conditions of which the first or second conviction took place.

Saving for sales on order by certain officials.

55. Notwithstanding the provisions of this Act, it shall be lawful for any holder of any certificate to give out and supply exciseable liquor from his licensed premises, at any time when such giving out and supply would be otherwise illegal, on an order stating why such liquor is required, signed by an officer of police, or procurator fiscal, or medical official, which signed order shall be sufficient defence in any prosecution, provided it be transmitted by post, with a note of the description and quantity of liquor supplied and the name and address of the person so supplied, to the procurator fiscal within forty-eight hours after the supply is made. The procurator fiscal shall transmit a list of such orders received by him, showing the names and descriptions of all persons signing the same during the current half year, to the clerk of the

licensing court seven days before the day fixed for each half-yearly meeting of such court.

Saving for sales at railway stations.

56. Nothing in this Act contained as to days or hours of closing shall preclude the sale at any time, on any day other than Sunday, at a railway station of exciseable liquors to persons arriving at or departing from such station by railroad.

Exciseable liquors when to be deemed to have been drunk on the premises.

57. If any person licensed to sell, by retail, any exciseable liquors, not to be consumed on the premises, shall take or carry, or authorise or permit or suffer to be taken or carried, any such exciseable liquors out of or from the house, shop or premises of such licensed person, for the purpose of being sold or hawked on his account, or for his benefit or profit, or for the purpose of being drunk or consumed for his benefit or profit in any other house, or in any tent, shed or other premises, of any kind whatever, belonging to such person, or hired, used or occupied by him, or in which he may be interested, such exciseable liquors shall be deemed and taken to have been drunk or consumed upon the premises of the person so licensed, and such person shall be deemed guilty of a breach of his certificate, and shall be liable in the penalties and expenses and forfeitures for such offence, by this Act provided.

Sale of spirits to children under sixteen illegal.

58. Every holder of a certificate, who sells or allows any person to sell, to be consumed on the premises, any description of spirits to any person apparently under the age of sixteen years, shall be liable to a penalty not exceeding twenty shillings for the first offence and not exceeding forty shillings for the second and any subsequent offence.

Sale of exciseable liquors to children under fourteen illegal.

59.—(1) Every holder of a certificate, who knowingly sells or delivers, or allows any person to sell or deliver, save at the residence or working place of the purchaser, any description of exciseable liquor to any person under the age of fourteen years for consumption by any person on or off the premises, excepting such exciseable liquors as are sold or delivered in corked and sealed vessels in quantities not less than one reputed pint for consumption off the premises only, shall be liable to a penalty not exceeding forty shillings for the first offence, and not exceeding five pounds for any subsequent offence; and every person, who knowingly sends any person under the age of fourteen years to any place where intoxicating liquors are sold, or delivered, or distributed, for the purpose of obtaining any description of exciseable liquor, excepting as aforesaid, for consumption by any person on or off the premises, shall be liable to a penalty not exceeding forty shillings for the first offence, and not exceeding five pounds for any subsequent offence.

(2) In this section the expression "corked" means closed with a plug or stopper, whether it is made of cork or wood or glass or some other material; and the expression "sealed" means secured with any substance without the destruction of which the cork, plug or stopper cannot be withdrawn.

(3) Nothing in this section shall prevent the employment, by the holder of a certificate, of a member of his family or his servant or apprentice as a messenger to deliver exciseable liquors.

Sunday sales to travellers.

60.—(1) If the keeper of a licensed inn and hotel sell or give out exciseable liquor on Sunday to any traveller, except for the personal use of, and to be drunk by, such traveller within such inn and hotel or on the premises belonging thereto, the keeper of such inn and hotel shall be deemed guilty of a breach of his certificate, and shall, on conviction thereof, be liable in the penalties and expenses and forfeitures for such offence by this Act provided.

(2) If any traveller shall induce the keeper of a licensed inn and hotel, or the servant of such keeper, to sell or give out to him exciseable liquors on Sunday, except as aforesaid, such traveller shall be guilty of an offence, and shall be liable on summary conviction to a penalty not exceeding forty shillings.

Penalty on persons falsely representing themselves to be travellers.

61. Every person who by any wilfully false representation shall induce any inn and hotel keeper, or the servant of any inn and hotel keeper, to sell or give out to him exciseable liquors on any Sunday, or to sell or give out to him exciseable liquors on any other day during hours when the sale of exciseable liquors, excepting to lodgers or travellers, is prohibited by the certificate of such inn and hotel keeper, shall thereby be guilty of an offence and, on being convicted thereof by any sheriff or any one justice of the peace or magistrate, shall forfeit and pay a penalty not exceeding five pounds.

Harbouring constables while on duty, &c.

62. If any licensed person—

(1) knowingly harbours or knowingly suffers to remain on his premises any constable during any part of the time appointed for such constable being on duty, unless for the purpose of keeping or restoring order or in execution of his duty; or

(2) supplies any liquor or refreshment, whether by way of gift or sale, to any constable on duty unless by authority of some superior officer of such constable; or

(3) bribes or attempts to bribe any constable;

he shall be liable to a penalty not exceeding for the first offence ten pounds, and not exceeding for the second or any subsequent offence twenty pounds.

Distribution of liquor from vans.

63.—(1) It shall not be lawful for any person holding a licence or certificate for the sale of exciseable liquors, or any servant of such person—

(*a*) to sell, distribute or deliver to a customer any exciseable liquor from any van or other vehicle, unless, before such van or other vehicle leaves the premises, in respect of which such licence or certificate is held, such liquor has been ordered by the customer, and the amount thereof to be sold, distributed or delivered has been entered in a delivery book, pass book or invoice, and in a day book, which delivery book, pass book or invoice shall be carried by the driver of such van or other vehicle, and which day book shall be retained in the aforesaid premises, and such delivery book, pass book or invoice, as well as such day book, shall specify the name and address of each person to whom such liquor is being conveyed, and the

quantity and description of liquor to be delivered to each person; or

(*b*) to carry in any such van or other vehicle, while in use for distribution or delivery to customers, any exciseable liquor not entered in the delivery book, pass book or invoice, and in the day book; or

(*c*) to deliver from such van or other vehicle any exciseable liquor to any person other than a person whose name and address are specified as aforesaid, or anyone authorised by such person to receive such liquor at the address so specified.

(2) It shall be lawful for any constable to examine at any time any such van or other vehicle used for carrying exciseable liquors, and the driver of such vehicle and the holder of the licence or certificate, or his servant having custody of the day book hereinbefore mentioned, shall be bound to exhibit to any constable, for his examination, his delivery book, pass book, invoices or day book as the case may be, and any person who shall refuse to allow any constable to examine such van or other vehicle, or shall fail to exhibit his delivery book, pass book, invoices or day book for such examination, or shall make any fictitious entry therein, shall be guilty of an offence under this section.

(3) Every person convicted of an offence against any of the foregoing provisions of this section shall be deemed guilty of the offence of hawking exciseable liquors, and shall be liable in the penalties for such offence provided by this Act; and every holder of a certificate, who is so convicted, and (unless he proves to the satisfaction of the court that such offence was committed without his knowledge or against his consent) every holder of a certificate, whose servant is so convicted, shall also be deemed guilty of a breach of his certificate, and shall be liable in the penalties and expenses and forfeitures for such offence provided by this Act.

(4) If any person shall induce the owner or person in charge of a van or other vehicle, used for delivering exciseable liquors, to sell or supply to him therefrom any exciseable liquor contrary to the terms of this Act, such person shall be guilty of an offence and shall be liable, on summary conviction, to a penalty not exceeding forty shillings.

Collection of rates and taxes on licensed premises prohibited.

64. No public rates or taxes shall be collected in any premises licensed for the sale of exciseable liquor, nor in any office, garden or court therewith occupied, and everyone collecting rates or taxes therein shall be guilty of an offence and shall be liable, on summary conviction, to a penalty not exceeding forty shillings.

Penalties for trafficking without certificate.

65.—(1) Every person trafficking in any exciseable liquors, in any place or premises, without a certificate to him in that behalf granted, according to the provisions of this Act, shall, upon his being convicted thereof, as herein-after mentioned, forfeit and pay for the first offence a sum not exceeding fifty pounds, with the expenses of conviction, to be ascertained upon conviction; and for the second offence the offender shall forfeit a sum not exceeding one hundred pounds, with the expenses of conviction, to be

ascertained upon conviction; and for the third and every subsequent offence the offender shall forfeit a sum not exceeding one hundred pounds, with the expenses of conviction, to be ascertained upon conviction: Provided always that such respective penalties shall be over and above any penalty, which such person so convicted may have incurred or paid, or be liable to pay, for or by reason of such trafficking under any Act relating to inland revenue or excise.

(2) Any person prosecuted for such trafficking may be legally convicted thereof on his own confession, or on proof by the oath of one or more credible witness or witnesses, or other legal evidence.

Penalty for bartering or selling spirits without certificate.

66. Every person bartering or selling spirits without having obtained a certificate, and every dealer in groceries or other provisions, to be consumed elsewhere than on the premises, supplying, whether gratuitously or otherwise, spirits to be consumed on the premises, shall be deemed guilty of an offence, and shall for such offence forfeit and pay the penalties provided in the immediately preceding section: Provided always that any person, who shall have been three times convicted of any offence against the provisions of this section, shall be incapable of holding a licence for the sale of exciseable liquors in all time coming.

Penalty for hawking exciseable liquors.

67. Every person hawking exciseable liquors shall thereby be guilty of an offence, and may be taken into custody by any constable or, in the absence of any constable, by any person whomsoever, and may be detained in any police office or police-cells or other convenient place, and, not later than in the course of the first lawful day after he shall have been so taken into custody, shall be brought before a justice of the peace or magistrate, or, if not so taken into custody, or if he shall have been liberated on bail or pledge, may be summoned to appear before a justice of the peace or magistrate, and on being convicted of such offence shall forfeit and pay a penalty not exceeding ten pounds.

Penalty on disorderly persons refusing to quit licensed houses.

68. Every person who shall be riotous, quarrelsome or disorderly in any shop, house, premises or place licensed for the sale of exciseable liquors by retail, whether to be consumed on the premises or not, and shall refuse or neglect to quit such shop, house, premises or place upon being requested so to do by the occupier or manager thereof, or his agent or servant, or by any constable, and every person who shall refuse to quit such shop, premises or place at the time of closing, prescribed under the provisions of this Act, on being required to do so as aforesaid, shall thereby be guilty of an offence, and may be taken into custody by any constable, and detained in any police office or police-cells or other convenient place, and, not later than in the course of the first lawful day after he shall have been so taken into custody, shall be brought before a sheriff or any one justice of the peace or magistrate, or, if not so taken into custody, or if he shall have been liberated on bail or pledge, may be summoned to appear before a sheriff or any one justice of the peace or magistrate, and on being convicted of such offence shall forfeit and pay a penalty not exceeding forty shillings; and all constables are hereby authorised and empowered to assist

in expelling such riotous, quarrelsome or disorderly person refusing to quit the premises at the hour of closing from such shops, houses, premises and places.

Penalty for inducing grocer to sell exciseable liquors illegally.

69. If any person shall induce the holder of a dealer's or grocer's certificate, or any person who is licensed to sell exciseable liquors not to be consumed on the premises, to sell or supply to him any exciseable liquor, and he shall drink the same, or part thereof, on the said licensed premises, such person shall be guilty of an offence and shall be liable, on summary conviction, to a penalty not exceeding forty shillings.

Penalties for drunkenness, riotous behaviour and other offences involving drunkenness.

70.—(1) Every person found in a state of intoxication, and incapable of taking care of himself, and not under the care or protection of some suitable person, in any street, thoroughfare or public place, whether a building or not, or on any licensed premises, and every person who is drunk while in charge in any street or other place of any carriage, horse cattle, or steam engine, or when in the possession of any loaded firearms, shall be thereby guilty of an offence, and may be taken into custody by any constable, and detained in any police office or police cells or other convenient place, and, not later than in the course of the first lawful day after he shall have been so taken into custody, shall be brought before a sheriff or any one justice of the peace or magistrate, or, if not so taken into custody, may be summoned to appear before a sheriff, justice of the peace or magistrate, and on being convicted of such offence shall be liable to a fine not exceeding forty shillings and, failing payment, to imprisonment for a period not exceeding thirty days.

Every person who in any street, thoroughfare or public place, whether a building or not, or on any licensed premises, behaves while drunk in a riotous or disorderly manner, or while drunk uses obscene or indecent language to the annoyance of any person, shall be liable, on summary conviction, to a fine not exceeding forty shillings, and, failing payment, to imprisonment for a period not exceeding thirty days, or in the discretion of the court to imprisonment for a period not exceeding thirty days.

(2) If any person is found drunk in any street, thoroughfare or public place, whether a building or not, or on any licensed premises while having the charge of a child apparently under the age of seven years, he shall, if the child is under that age, be liable, on summary conviction, to a fine not exceeding forty shillings, and, failing payment, to imprisonment for a period not exceeding thirty days. If the child appears to the court to be under the age of seven, the child shall for the purposes of this section be deemed to be under that age unless the contrary is proved.

(3) An offence under this section shall be deemed to be an offence mentioned in the First Schedule to the Inebriates Act, 1898. 61 & 62 Vict. c. 60.

(4) The provisions of this section shall, in the burghs to which the general or local Police Acts, specified in Part II. of the Twelfth Schedule annexed hereto, respectively apply, have effect as if they were provisions of and enacted in such Acts and, where enactments dealing with the same matter are mentioned in such Part, in lieu of such enactments, and such Acts and references therein shall be

construed accordingly, both as regards the application of penalties and in all other respects.

If any person, charged with an offence under this section, shall have been taken into custody and liberated on bail or pledge and shall fail to appear at the calling of the case at the first court thereafter, the court may (save as otherwise provided by or under any general or local Police Act applying to a burgh as aforesaid) declare such bail or pledge to be forfeited, and may in addition, if the case in the opinion of the court shall so require, summon him to appear before the court or grant a warrant for his apprehension.

(5) For the purposes of this section the expression "public place" shall include any railway station and any place to which the public have access, whether on payment or otherwise, and any public conveyance, and the expressions "carriage" and "cattle" shall have the meanings respectively assigned thereto in the Burgh Police (Scotland) Act, 1892.

55 & 56 Vict. c. 55.

(6) For the purposes of this section the expression "public place" shall include the Harbour of Glasgow, the expression "public conveyance" shall include the ferry boats in the River Clyde, as defined by the Clyde Navigation Acts, and the expression "magistrate" shall include the bailie, depute bailie and judge exercising jurisdiction in the court of the bailie of the River and Firth of Clyde.

20 & 21 Vict. c. 72.

(7) Notwithstanding anything contained in the Police (Scotland) Act, 1857, section thirteen of that Act shall extend to Orkney and Shetland, and have full application therein upon the apprehension of any person charged with an offence against this section, with the substitution (so long as the said Act does not extend generally to Orkney or Shetland) of any sheriff criminal officer, duly authorised by the sheriff, for the chief constable or other officer, and of forty shillings for ten pounds respectively specified therein.

Power to require person convicted of drunkenness to find caution. 61 & 62 Vict. c. 60.

71. Where a person is convicted of any offence mentioned in the First Schedule to the Inebriates Act, 1898, the court may, either in addition to or in substitution for any other penalty, order the offender to find caution for good behaviour for any period not exceeding six months and under a penalty not exceeding twenty pounds, and, in default of such caution being found, to be imprisoned for a period not exceeding thirty days.

Prohibition of sale of excisable liquor to persons convicted of drunkenness. 53 & 54 Vict. c. 67.

72.—(1) Where any person is convicted of any offence mentioned in the First Schedule to the Inebriates Act, 1898, and, within the twelve months preceding the date of such conviction, has been convicted at least three other times of any offence so mentioned, the court may order that notice of the conviction, with such particulars as may be prescribed by the Secretary for Scotland, be sent to the police authority (within the meaning of the Police (Scotland) Act, 1890) for the police area in which the court is situate.

(2) Where a court in pursuance of this Act orders notice of a conviction to be sent to a police authority, the court shall inform the convicted person that the notice is to be so sent; and

(*a*) if the convicted person, within three years after the date of the conviction, purchases or obtains, or attempts to purchase or

obtain, any exciseable liquor at any premises licensed for the sale of exciseable liquor by retail, or at the premises of any club registered in pursuance of the provisions of this Act, he shall be liable, on summary conviction, to a fine not exceeding for the first offence twenty shillings, and for any subsequent offence forty shillings; and

(*b*) if any person holding a certificate for the sale of exciseable liquors by retail, whether for consumption on or off the premises, or any person selling, supplying or distributing exciseable liquor, or authorising such sale, supply or distribution, on the premises of a club registered in conformity with the provisions of this Act, within that period knowingly sells, supplies or distributes, or allows any person to sell, supply or distribute, exciseable liquor to, or for the consumption of, any such person, he shall be liable, on summary conviction, for the first offence to a fine not exceeding ten pounds, and, for any subsequent offence in respect of the same person, to a fine not exceeding twenty pounds.

(3) Regulations shall be made, by the police authority, for the purpose of securing the giving of information to licensed persons and secretaries of clubs, registered under this Act, of orders made under this section, and for assisting in the identification of the convicted persons.

Habitual drunkenness equivalent to cruelty in consistorial action. 42 & 43 Vict. c. 19.

73. Where a husband or wife is a habitual drunkard, as defined by section three of the Habitual Drunkards Act, 1879, and this fact is established in a consistorial action instituted by either spouse, according to the existing law and practice in Scotland, such fact shall be held to be equivalent in law to, and shall have and be treated by the Court as having the same legal consequences and effects as, cruelty and bodily violence by the habitual drunkard towards his or her spouse.

Penalty for procuring drink for drunken person.

74. Any person, who, being on any premises licensed for the sale of any exciseable liquor, whether for consumption on or off such premises, shall procure, or attempt to procure, any exciseable liquor for consumption by any drunken person, or who shall aid and abet any drunken person in obtaining or consuming any exciseable liquor on any premises so licensed as aforesaid, shall be liable, on summary conviction, to a fine not exceeding forty shillings, or to imprisonment, with or without hard labour, for any period not exceeding one month.

Penalty on persons found in shebeens drunk or drinking.

75.—(1) Every person found in any shebeen drunk or drinking shall thereby be guilty of an offence, and may at the time be taken into custody by any constable, and detained in any police office or police-cells or other convenient place, and, not later than in the course of the first lawful day after he shall be so taken into custody, shall be brought before a justice of the peace or magistrate, or, if not so taken into custody or if he shall have been liberated on bail or pledge, may be summoned to appear before a justice of the peace or magistrate, and on being convicted of such offence shall forfeit and pay a penalty not exceeding ten shillings.

(2) The offence under this section, of being found in any shebeen drunk, shall be deemed to be an offence mentioned in the First Schedule to the Inebriates Act, 1898.

Penalties for allowing drinking at refreshment house during hours when licensed houses closed.

76. No exciseable liquor shall be consumed upon premises used as a refreshment house or other place of public resort for the sale or consumption of provisions, confectionery, ice cream, aerated waters or refreshments of any kind, or for the sale or consumption of tobacco or cigars, during the days and hours in which the same premises would, if they were licensed as a public-house under this Act, be closed by law for the sale and consumption of exciseable liquors; and if any person keeping or occupying any such premises allows any exciseable liquor to be consumed thereon in contravention of the provision herein contained, he shall on conviction be liable for the first offence to a penalty not exceeding ten pounds, and for a second or subsequent offence to a penalty not exceeding twenty pounds, unless he proves to the satisfaction of the court that such liquor was so consumed without his knowledge or against his consent.

PART V.

REGISTRATION OF CLUBS.

Register of clubs to be kept.

77.—(1) From and after the commencement of this Act a register shall be kept by the sheriff clerk (herein-after called "the registrar"), in which he shall enter the name of each club to which a certificate of registration is granted under the provisions of this Act; which register shall show the date of such certificate, whether such certificate is granted for the first time or on renewal, the address of the premises to which the certificate is applicable, and the names and addresses of the officials and the committee of management or governing body of the club, and whether the club is tenant or the proprietor and occupier of the said premises. The register and copy of the rules lodged with the registrar, shall at all reasonable hours be open to inspection by a chief officer of police or any constable authorised by him in writing or any officer of the Inland Revenue, without fee, and by any person on payment of a fee of one shilling.

(2) The registration of a club under this Act shall not constitute the club licensed premises or authorise any sale of exciseable liquors therein which would otherwise be illegal.

Application for registration.

78.—(1) The secretary of any club desiring a certificate of registration shall lodge with the registrar an application signed by the chairman, secretary or authorised law agent of the club, stating the name and object of the club and the address of the premises occupied by the club. Such application shall be accompanied by two copies of the rules of the club, by a list containing the names and addresses of the officials and committee of management or governing body and the names of the members, and by a certificate in, or as nearly as may be in, the form set out in the Tenth Schedule annexed hereto, which certificate shall be signed by two justices of the peace for the county within which such premises are situate, or where such premises are situate within a burgh, either

by two justices of the peace as aforesaid, or by two magistrates of the burgh, or by one justice and one magistrate, and shall also, where such premises are not owned by the club, be signed by the owner of such premises or, where the owner is under any legal disability, by his legal representative. Provided that, where such premises are held under a lease for a term of years which was entered into not later than Whitsunday one thousand nine hundred and three, the signature of such owner shall not be required.

(2) The secretary of any club desiring a renewal of the certificate shall, at a date not later than twenty-one days prior to its expiry, make application to the registrar for such renewal in the same manner and subject to the same incidents as in the case of an original application for registration.

(3) Every club applying either for an original certificate or for a renewal shall, as a condition of registration, make payment to the registrar of a fee of five shillings.

Grant and renewal of certificate of registration.

79.—(1) The registrar shall forthwith give notice of such application to the chief officer of police and also, where the club is situated within a burgh, to the town council of such burgh and, where not within a burgh, to the parish council of the parish, and if no objections are taken, as herein-after provided, the sheriff shall, if satisfied that the application has been duly made as aforesaid and that the rules of the club are in conformity with the provisions of this Act, grant the application.

(2) It shall be competent for such chief officer of police, town council or parish council, on receiving such notice, and for no other person or persons, to lodge objections to the grant or renewal of the certificate, on any of the grounds of objection specified in this Act. Such objections shall be lodged by the objectors with the registrar within ten days of the receipt of the notice of application, and at the same time a copy of the objections shall be sent by them to the secretary of the club applying for the grant or renewal of a certificate.

(3) The sheriff shall, as soon as may be, hear parties upon the application and objections, and may order such inquiry as he thinks fit, and thereafter shall grant or refuse the application. Upon the grant of any such application the sheriff shall cause the entries required by this Act to be made in the register, and thereupon the registrar shall issue to the applicant, in, or as nearly as may be in, the form set out in the Tenth Schedule annexed hereto, a certificate of registration. Such certificate so issued shall, subject to the provisions of this Act, remain in force for a period of twelve months from the date of issue.

(4) The sheriff shall have power to award expenses against the unsuccessful party, where objection has been taken to the grant or renewal of a certificate, and such expenses payable by objectors may be charged against the county or burgh police assessment, burgh general assessment or special parish rate, as the case may be.

(5) Notwithstanding the provisions of this Act as to the duration of a certificate, where a renewal has been applied for, the current certificate shall remain in force pending the final decision of the

sheriff, but not exceeding three months, unless the sheriff shall in his discretion extend such time to a further period not exceeding other three months.

(6) A club failing to make application for renewal of a certificate, by the date at or previous to which such application must in terms of this Act be made, shall not be granted such renewal, unless the sheriff is satisfied that such failure was due to inadvertence.

(7) A club may make application for a certificate of registration at any time after the thirtieth day of November nineteen hundred and three and before the commencement of this Act, and no club which has made such application shall be deemed to be an unregistered club pending the final decision of the sheriff on such application, and any application so made shall for the purposes of this section be deemed to have been made on the first day of January nineteen hundred and four.

Club rules qualifying for registration.

80. In order that any club may be eligible to be registered, the rules of the club shall provide—

(*a*) that the business and affairs of the club shall be under the management of a committee or governing body, elected for not less than a year by the general body of members and subject in whole or in a specified proportion to annual re-election, and that no member of the committee or governing body and no manager or servant employed in the club shall have any personal interest in the sale of exciseable liquors therein or in the profits arising from such sale;

(*b*) that the committee or governing body shall hold periodical meetings;

(*c*) that the names and addresses of persons proposed as ordinary members of the club shall be displayed on a conspicuous place in the club premises for at least a week before their election, and that an interval of not less than two weeks shall elapse between nomination and election of ordinary members;

(*d*) that all members shall be elected by the whole body of members or by the committee or governing body, with or without specially added members;

(*e*) that there shall be a defined subscription payable by members in advance;

(*f*) that correct accounts and books shall be kept showing the financial affairs and intromissions of the club;

(*g*) that a visitor shall not be supplied with exciseable liquor in the club premises, unless on the invitation and in the company of a member, and that the member shall, upon the admission of such visitor to the club premises or immediately upon his being supplied with such liquor, enter his own name and the name and address of the visitor in a book which shall be kept for the purpose, and which shall show the date of each visit;

(*h*) that no exciseable liquors shall be sold or supplied for consumption outside the premises of the club, except as hereinafter provided;

(*i*) that no persons shall be allowed to become honorary or temporary members of the club or be relieved of the payment of the regular entrance fee or subscription, except those possessing certain qualifications defined in the rules, and subject to conditions and regulations prescribed therein;

(*j*) that no person under eighteen years of age shall be admitted a member of the club, unless the club is one primarily devoted to some athletic purpose, and, in the latter case, that no exciseable liquors shall be sold or supplied to any person under eighteen years of age:

Provided always that this section shall not apply to any lodge of Freemasons, duly constituted under a charter from the Grand Lodge of Scotland, and that sub-sections (*c*), (*d*) and (*j*) of this section shall not apply to a University Students' Union, which is recognised and certified as such to the registrar by the Senatus Academicus of a university.

Competent grounds of objection to registration.

81. The sheriff shall not consider any objection to the grant or renewal of a certificate, unless it is taken upon one or more of the following grounds:—

(*a*) that the application made by the club, or its rules, or any of them, are in any respect specified in such objection not in conformity with the provisions of this Act; or

(*b*) that the club has ceased to exist or that the number of members is less than twenty-five; or

(*c*) that it is not conducted in good faith as a club, or that it is kept or habitually used for any unlawful purpose or mainly for the supply of exciseable liquor; or

(*d*) that there is frequent drunkenness on the club premises or that persons in a state of intoxication are frequently seen to leave the club premises or that the club is conducted in a disorderly manner; or

(*e*) that illegal sales of exciseable liquor have taken place on the club premises; or

(*f*) that persons who are not members are habitually admitted to the club, merely for the purpose of obtaining exciseable liquor; or

(*g*) that the club occupies premises, in respect of which, within twelve months next preceding the formation of the club, a certificate for the sale of exciseable liquors has been forfeited or the renewal of such a certificate has been refused, or in respect of which an order has been made that they shall not be used for the purposes of a club; or

(*h*) that the supply of exciseable liquor to the club is not under the control of the members or the committee appointed by the members; or

(*i*) that any of the rules of the club are habitually broken; or

(*j*) that the rules have been so changed as not to be in conformity with the provisions of the immediately preceding section of this Act.

Search warrant to enter club.

82.—(1) If a justice of the peace of any county or magistrate of any burgh is satisfied, by information on oath, that there is reasonable ground for supposing that any registered club is so managed or carried on as to constitute a ground of objection to the renewal of its certificate, in terms of the immediately preceding section, or that an offence under this Act has been or is being committed in any registered club, or that any exciseable liquor is sold or supplied or kept for sale or supply on the premises of an unregistered club, he may grant a search warrant to any constable or constables named therein.

(2) A search warrant, granted under this section, shall authorise the constable or constables named therein to enter the club at any time, if need be by force, and to inspect the premises of the club, to take the names and addresses of any persons found therein and to seize any books and papers relating to the business of the club.

(3) In the event of any person or persons found in said premises refusing to give their respective names and addresses when requested by any such constable, or giving false names or addresses, such person or persons so doing shall be liable severally, on summary conviction, to a fine not exceeding five pounds.

Penalty for supplying or keeping exciseable liquor in unregistered club.

83.—(1) If any exciseable liquor is supplied or sold to any member or other person on the premises of an unregistered club, every person supplying or selling such liquor, every person who shall pay for such liquor and every person authorising the supply or sale of such liquor shall be liable, on summary conviction, to imprisonment, with or without hard labour, for a term not exceeding one month, or to a fine not exceeding fifty pounds, or to both.

(2) If any exciseable liquor is kept for supply or sale on the premises of an unregistered club, the same, and the vessels containing the same, may be seized by the police under a warrant from a justice of the peace or magistrate, granted after examination on oath of a credible witness to the fact that such liquor is so kept, and every officer and member of the club shall be liable, on summary conviction, to a fine not exceeding for a first offence seven pounds, and for a second offence fifteen pounds, and for a third or subsequent offence thirty pounds, unless he proves to the satisfaction of the court that such liquor was so kept without his knowledge or against his consent, and on such conviction such liquor and the vessels containing the same shall be forfeited and sold, and the proceeds thereof paid into the funds of the county or into the police funds of the burgh.

Penalties for supplying exciseable liquor for consumption outside registered club.

84. If any exciseable liquor is sold or supplied in a registered club for consumption outside the premises of the club, except to a member on the premises and for his own consumption, or to a person holding an excise licence for the sale of such liquor, every person supplying or selling such liquor, every person who shall pay for such liquor and every person authorising the sale or supply of such liquor shall be liable severally, on summary conviction, to a fine not exceeding for a first offence seven pounds, for

a second offence fifteen pounds and for a third or subsequent offence thirty pounds, unless he proves to the satisfaction of the court that such liquor was so sold or supplied without his knowledge or against his consent, and, where it is proved that such liquor has been received, delivered or distributed within the premises of the club and taken outside the premises, it shall, failing proof to the contrary, be deemed to have been so taken for consumption outside the premises.

Power to cancel certificate of registration.

85.—(1) On summary complaint by or at the instance of any person or council competent to lodge objections to the grant or renewal of a certificate of registration, it shall be lawful for the sheriff and also, in a burgh, for any magistrate to pronounce a finding that, on grounds to be specified therein, a registered club is being so managed or carried on as to constitute a ground of objection to the renewal of its certificate, as hereinbefore provided.

(2) Where such finding has been pronounced, or where a conviction has taken place under the provisions of the immediately preceding section, a certified copy of the complaint and finding or of the complaint and conviction, as the case may be, shall within six days from the date of such finding or conviction be transmitted by the clerk of the court (not being the sheriff clerk) to the registrar, who shall forthwith make an entry of every such finding or conviction in the register of clubs, and lay the same before the sheriff, and it shall be lawful for the sheriff, if he think fit, and after such further inquiry as he may think necessary, having regard to the magnitude of the offence or to the grounds specified as aforesaid, to cancel the certificate of the club for the period for which it may still have to run, provided always that it shall be competent for such club to apply for the renewal of the certificate, at the date at which it would have been competent to do so, had the certificate not been cancelled.

(3) Where the sheriff has refused an application by any club for the renewal of a certificate, or has cancelled the certificate of a club in manner provided as aforesaid, he may, if he think fit, further pronounce an order that the premises occupied by such club shall not be used for the purposes of any club, which requires registration under this Act, for a specified period, which may extend to twelve months in case of a first order, or in case of a second or subsequent order to five years: Provided that any such order may, for good cause shown, be subsequently cancelled or varied by the sheriff.

Penalties for offences by officials of registered club.

86. Where a finding has been pronounced that a registered club is being so managed or carried on as to constitute a ground of objection to the renewal of its certificate, then, if the following grounds, or any of them, are specified in such finding, videlicet:—

(1) that it is not conducted in good faith as a club, or that it is kept or habitually used for any unlawful purpose or mainly for the supply of exciseable liquor; or

(2) that there is frequent drunkenness on the club premises, or that persons in a state of intoxication are frequently seen to

leave the club premises, or that the club is conducted in a disorderly manner; or

(3) that persons, who are not members, are habitually admitted to the club merely for the purpose of obtaining exciseable liquor—

every person entered in the register of clubs as an official or a member of the committee of management or governing body of the club shall, unless he satisfies the court that the club was so managed or carried on without his knowledge or against his consent, be liable, on summary conviction, to a penalty not exceeding for a first offence seven pounds, for a second offence, whether in connection with the same or another club, fifteen pounds and for a third or subsequent offence as aforesaid thirty pounds.

Citation of registered club. 45 & 46 Vict. c. 77.

87. Any citation of a registered club may be validly made in the registered name thereof in terms of the Citation Amendment (Scotland) Act, 1882, or by a copy of such citation being left by an officer of court at the registered address of the club.

Sheriff's decision final.

88.—(1) The jurisdiction of a sheriff, being a member of any club, shall not be excluded by such membership.

(2) The decision of the sheriff, in dealing with an application for an original certificate or for the renewal of a certificate or in cancelling a certificate, shall be final and not subject to review.

Penalty for making false application.

89. If the secretary of any club or any other person knowingly lodges with the registrar an application for registration which is false in any material particular, he shall be liable, on summary conviction before the sheriff, to imprisonment, with or without hard labour, for a term not exceeding three months, or to a fine not exceeding fifty pounds, or to both.

Definitions for this Part of Act.

90. In this Part of this Act the expression—

"Certificate" shall mean a certificate of registration:

"Registered club" shall mean a club holding a certificate of registration in force at the time:

"Secretary" shall include any officer of a club or other person performing the duties of a secretary.

PART VI.

LEGAL PROCEEDINGS.

Prosecution of offences and application of penalties and expenses.

91.—(1) Every person who shall commit any breach of certificate, or who shall in any other manner offend against this Act, shall be prosecuted, and all penalties, together with the expenses of prosecution and conviction, to be ascertained on conviction, shall be recovered, unless by this Act otherwise specially directed or authorised, before the sheriff or any two or more justices of the peace of a county or any magistrate of a royal, parliamentary or police burgh, having jurisdiction in the county or burgh, as the case may be, in which such offender shall reside or such offence shall have been committed, at the instance of the procurator fiscal, or other prosecutor ordinarily acting in such respective courts, or,

in the case of a justice of the peace or burgh police court, at the instance of such other party as shall be specially appointed to prosecute such class of offences by the justices of the peace of the county, in general quarter sessions assembled, or the town council of the burgh, as the case may be, and which appointment they are hereby specially authorised to make, and such justices of the peace in general quarter sessions or town council, as the case may be, may from time to time fix a reasonable sum in name of salary, or a reasonable rate of remuneration by fees for prosecutions and all other business under this Act, to be paid annually to such procurator fiscal or other party appointed to prosecute as aforesaid; and which salary, or the amount of the account of such fees, as the same shall be taxed on behalf of the county council or town council, as the case may be, together with all necessary and proper outlays attending such prosecutions and such business, shall form a proper charge against, and shall be paid annually out of, the fund of the county, out of which the expenses of criminal prosecutions are in use to be paid, and in royal or parliamentary burghs, having a separate licensing court, out of the police funds, or, where there are no police funds, out of the corporation funds of the burgh, as the case may be; and all penalties and expenses of prosecutions and convictions, incurred under and imposed by this Act, shall, when recovered, if adjudged by any sheriff, or justice or justices of the peace, or magistrate of any burgh (other than a royal or parliamentary burgh having a separate licensing court) be wholly paid into the county fund, and, if adjudged by any magistrate of any royal or parliamentary burgh having a separate licensing court, be wholly paid into the police funds, or, where there shall be no police funds, into the corporation funds of the burgh in which such penalties shall be imposed, respectively.

(2) Breaches of certificate and other offences in this section referred to may, unless by this Act otherwise specially directed or authorised, be prosecuted and tried as police offences before and by any magistrate or magistrates of any royal, parliamentary or police burgh, officiating in any court for the trial of police offences under the provisions of any local or general Police Act, in the same way and manner, in all respects, as may be provided for the trial of police offences by any such local or general Police Act in force in the county, district or burgh, where the offender shall reside, or the offence shall have been committed, and such magistrate or magistrates shall have power to impose the penalties and punishments and declare the forfeitures provided in that behalf by this Act.

(3) Every offence committed against this Act shall, except where inconsistent with the provisions and conditions of this Act, be tried and determined under the provisions of the Summary Jurisdiction Acts, and in the event of an offender being convicted, and failing to make payment of the penalty, which may have been imposed, immediately or within a specified period, he shall be liable to imprisonment in accordance with the provisions of the Summary Jurisdiction Acts, and it shall be lawful for the sheriff, justice or justices, magistrate or magistrates, before whom any prosecution is

brought, to proceed in absence of the accused, upon proof by the oath of an officer or constable that the accused has been duly summoned: Provided that, in any complaint brought under this Act, the description of any offence against this Act in the words of the Act, or of any certificate granted thereunder, shall be sufficient in law.

Citation and procedure on complaint for breach of certificate.

92. A person complained of for committing any breach of certificate shall be cited to appear before the court having jurisdiction at least six free days before the diet of appearance: Provided that, if such person cannot on search be found personally, he may be cited either at his place of abode or at his licensed premises. Any person so complained of may be legally convicted either on his own confession or by the testimony on oath of one or more credible witness or witnesses or upon other legal evidence.

Warrant to apprehend on complaint for trafficking.

93. In the case of any person complained of for trafficking in exciseable liquors in any place or premises without having obtained a certificate in that behalf, it shall be lawful for any sheriff, or any one justice or magistrate if he shall see fit, instead of granting warrant to summon such offender, to grant warrant to apprehend such offender to answer to the complaint and to be further dealt with as is provided by this Act.

Police to report all offences.

94. A chief officer of police shall, without undue delay, report to the procurator fiscal, or other party by this Act directed to prosecute offenders, all offences committed against this Act coming to his knowledge, and shall at all times use the means within his control for the detection and, when necessary, the apprehension of all offenders.

Power to police to enter eating houses, hotels, &c.

95. It shall be lawful for any chief constable, superintendent, lieutenant or inspector of police at any time to enter and inspect any eating house, temperance hotel, shop or other place, or any boat or vessel, where food or drink of any kind is sold to be consumed on the premises, or in which he shall have reason to believe that exciseable liquors of any kind are being unlawfully trafficked in; and it shall also be lawful for any constable, having an authority in writing from any justice of the peace or magistrate, or from any chief constable, superintendent, lieutenant or inspector of police, in any county, district or burgh, and which they are severally hereby authorised to grant, to enter and inspect any such eating houses, temperance hotels, shops or places, or any such boats or vessels, within such county, district or burgh respectively, at any time or times within eight days from the date of such writing, as may be specially mentioned in such writing; and any person who shall refuse to admit or shall not admit such officer of police or constable into any such eating house, temperance hotel, shop or other place, boat or vessel, or shall offer obstruction to his admission thereto, shall thereby be guilty of an offence, and may be apprehended on a warrant to that effect, granted by the sheriff or by any one justice of the peace or magistrate, and, on being convicted thereof, shall forfeit and pay a penalty not exceeding ten pounds: And it shall be lawful for any officer of

police or constable of any county, district or burgh, without any written authority, at any time to enter and inspect any licensed inn and hotel or public-house therein situated, and also, where he shall have reason to believe that a breach of certificate is being committed, at any time without written authority to enter and inspect the premises of any grocer or provision dealer trading in exciseable liquors; and any person who shall refuse to admit or shall not admit such officer of police or constable into such licensed inn and hotel, public-house or premises, or shall offer obstruction to his admission thereto, shall thereby be guilty of an offence, and, on being convicted thereof, shall forfeit and pay a penalty not exceeding ten pounds.

Warrant to seize exciseable liquors found in unlicensed premises, and penalties.

96. It shall be lawful for any justice of the peace of any county or district, or magistrate of any burgh, upon being satisfied by the personal examination on oath of a credible witness that there is reasonable ground for believing that exciseable liquors are trafficked in within any house or other premises within such county or burgh, as the case may be, not licensed for the sale thereof, or by any person not having a licence to sell exciseable liquors in or at such house or premises, or that such liquors are illegally kept for sale or for the purpose of being trafficked in at such house or premises, to grant warrant under his hand authorising any chief constable, superintendent, lieutenant, inspector or sergeant of police, with any constables, to enter such house or place at all times and to search for exciseable liquors, and, if the same be found in such house or place exceeding one gallon, to seize such exciseable liquors, together with the vessel or vessels in which the same are contained; and such warrant shall continue in force for one month from the date thereof, and shall be a sufficient authority to the chief constable, superintendent, lieutenant, inspector or sergeant of police therein named, and their assistants respectively, to enter into such house or place and seize all such liquors as aforesaid and the vessels containing the same, and to carry away and retain the same, until disposed of as herein-after provided: And the person occupying or using the premises where such liquors shall be found as aforesaid shall thereby be guilty of an offence, and, on being convicted thereof, shall forfeit and pay for the first offence a penalty not exceeding five pounds, and for the second and every subsequent offence a penalty not exceeding ten pounds: And all such exciseable liquors and the vessels containing the same so seized as aforesaid shall be forfeited and sold, without further warrant, and the proceeds of such sale shall be paid into the funds of the county or police funds of the burgh, and where there are no police funds into the corporation funds of the burgh, as the case may be, in which the premises, in which such liquors shall have been found, are situate.

Proof of trafficking exciseable liquor in shebeens.

97. In order to warrant the conviction of any person for trafficking in any exciseable liquors in any place or premises without a certificate in that behalf, it shall be sufficient, in the absence of contrary evidence, to prove that some person, other than the owner or occupant of such place or premises, shall, at the time

charged, have been found in such place or premises drunk or drinking, or having had drink supplied to him therein, and that such place or premises is or are by repute kept as a shebeen, or, at the time charged, contained drinking utensils and fittings usually found in houses licensed for the sale of exciseable liquors.

Burden of proof in case of drunkenness on licensed premises.

98. Where a licensed person is charged with permitting drunkenness on the premises, and it is proved that any person was drunk on his premises, it shall lie on the licensed person to prove that he and the persons employed by him took all reasonable steps for preventing drunkenness on the premises.

Convictions to be transmitted to clerk to licensing court.

99. A certified extract of every conviction under this Act, for a breach of the terms and conditions of any certificate granted under the authority of this Act, shall, within six days after such conviction, be transmitted by the clerk of court to the clerk to the licensing court, within whose jurisdiction the party convicted shall reside, under a penalty of five pounds, to be recovered before the sheriff within six months next after the time when such transmission ought to have been made; and the clerk to the licensing court shall enter such convictions in the book or register required to be kept by him in terms of this Act, and, opposite to the name of the person therein entered to whom the same applies, the date of the conviction, specifying therein whether the same is the first, second or third or subsequent conviction; and the said book or register shall be produced by the clerk to the licensing court at every general meeting of such court held in pursuance of this Act.

Clerk to licensing court to certify convictions to Inland Revenue.

100. The clerk to the licensing court shall certify to the Commissioners of Inland Revenue, or to the collector of Inland Revenue in the particular district, the conviction of every person convicted of an offence in breach of the conditions and terms of his certificate, by which conviction such certificate has thereupon been adjudged null and void, which certificate of conviction shall be transmitted to the said Commissioners of Inland Revenue, or collector, within six days next after such conviction shall have taken place, if such clerk officiated as clerk of court at such conviction, and if such clerk did not so officiate, then within six days after such conviction shall have been transmitted to him, on pain of the said clerk to the licensing court forfeiting for every neglect so to do the sum of five pounds, to be recovered before the sheriff within six months next after the transmission by this Act ought to have been made; and such certificate of conviction shall be in the form contained in the Eleventh Schedule annexed hereto.

Appeal from justices to quarter sessions.

101. If any person shall consider himself to be aggrieved by any judgment, whether of conviction or of absolvitor, given upon any complaint, presented under this Act, by any two or more justices of the peace, it shall be lawful to such person to appeal therefrom to the justices assembled at the next quarter sessions, held for the county in which the judgment so appealed against was given, which justices are hereby authorised and required to hear and finally adjudge such appeal: Provided always that no such appeal shall be

heard unless the appellant shall, within eight days next after such judgment, lodge his appeal with the clerk of such justices of the peace, and deposit with such clerk the amount of penalty and expenses awarded against him, and shall find caution with such clerk to abide such appeal and to pay such sums as shall be finally awarded, and shall give intimation of such appeal by serving a copy thereof upon the opposite party within the said period of eight days.

Appeal to high court of justiciary.

102. It shall be competent to any person conceiving himself aggrieved by any warrant, sentence, order, decree, judgment or decision made or given by any sheriff, justice or justices of the peace or magistrate in any cause, prosecution or complaint raised under the authority of this Act, for any offence punishable by fine or by imprisonment, to bring the case by appeal before the high court of justiciary in the manner and by and under the rules, limitations, conditions and restrictions which shall from time to time be prescribed by the said high court of justiciary: Provided always that such appeal shall be competent only when founded on the ground of corruption or malice and oppression on the part of the sheriff, justice or justices of the peace or magistrate, as the case may be, or on such deviations in point of form from the statutory enactments as the court shall think have prevented substantial justice from having been done: Provided also that such appeals shall be heard and determined in open court, and that it shall be competent to the court to correct such deviation in point of form: Provided further that notice in writing of such appeal shall be given to the opposite party, and to the clerk of the court pronouncing such warrant, sentence, order, decree, judgment or decision, within eight days of the date thereof, and that no appeal shall be received or entertained unless the party appealing shall, along with his appeal, deposit with the clerk of the high court of justiciary a certificate under the hand of the sheriff clerk, town clerk or clerk of the peace or clerk to the magistrates or police court, as the case may be, that he has made consignation in the hands of such clerk of the whole sum and expenses, if any, decerned for by the warrant, sentence, order, decree, judgment or decision appealed from, and unless he shall have found sufficient security for the whole expenses which may be incurred and found due under the appeal: Provided always that nothing herein contained shall be held to exclude or interfere with the right of appeal to quarter sessions under the immediately preceding section, or with the right of appeal under the Summary Prosecutions Appeals (Scotland) Act, 1875, or the Burgh Police (Scotland) Act, 1892.

38 & 39 Vict. c. 62.
55 & 56 Vict. c. 55.

Sentences and judgments not otherwise subject to review

103. No warrant, sentence, order, decree, judgment or decision made or given by any quarter sessions, sheriff, justice or justices of the peace or magistrate in any cause, prosecution or complaint, or in any other matter under the authority of this Act, shall be subject to reduction, suspension or appeal, or any other form of review or stay of execution, on any ground or for any reason whatever, other than by this Act provided.

Limitation of actions against sheriffs, officials, &c.

104. Every action or prosecution against any sheriff, justice or justices of the peace, magistrate, or against any sheriff clerk, clerk of the peace, town clerk, clerk to a licensing court or court of appeal or any procurator fiscal, superintendent or other officer of police or constable or other person, on account of anything done in execution of this Act, shall, save as otherwise provided, be commenced within two months after the cause of action or prosecution shall have arisen, and not afterwards.

Power to admonish.

105. In the trial of any offence under this Act the court may in its discretion, if such course appears to meet the justice of the case, dismiss any person found guilty with an admonition; and nothing in this Act contained shall be read as limiting any power to mitigate penalties contained in the Summary Jurisdiction Acts or any other Act, or as excluding the operation of the Fine or Imprisonment (Scotland and Ireland) Act, 1899.

62 & 63 Vict. c. 11.

Disqualifications of clerks to courts, &c.

106. No solicitor or other person being a clerk to a licensing court or a court of appeal, and no procurator fiscal or other person entrusted with the prosecution of offences against this Act, shall, by himself, his partner or clerk as solicitor or agent for any person, conduct or act in any application for or in respect of a certificate or any other proceedings whatsoever under this Act before such licensing court or court of appeal, and if any person contravenes this provision he shall be liable, on summary conviction before the sheriff, to a fine not exceeding one hundred pounds.

PART VII.

MISCELLANEOUS.

Interpretation of terms.

107. In this Act the following words and expressions shall have the several meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction (that is to say):—

The word "certificate" shall mean any certificate for the sale of exciseable liquors granted in terms or under the provisions of this Act, provided that every certificate under the existing Acts, which is in force at the commencement of this Act, shall be deemed to have been so granted:

The expression "chief officer of police" shall have the same meaning as in the Police (Scotland) Act, 1890:

53 & 54 Vict. c. 67.

The word "constable" shall mean and include officers of court, chief constable, superintendent of police and every grade of constable or police officer or any person belonging to any constabulary force in any part of Scotland, as also any sheriff officer or justice of peace constable. The expressions "exciseable liquor" and "exciseable liquors" shall include spirits, wine porter, ale, beer, cider, perry, mead, metheglin and sweets:

The expression "existing Acts" shall mean the Licensing (Scotland) Acts, 1828 to 1897:

The word "hawking" shall mean and include trafficking in or about the streets, highways or other places, or in or from any boat or other vessel upon the water:

The expression "inn and hotel" shall in towns and the suburbs thereof mean a house containing at least four apartments set apart exclusively for the sleeping accommodation of travellers; and in rural districts and populous places not exceeding one thousand inhabitants, according to the census for the time being last taken, a house containing at least two such apartments:

"Magistrate" for the purpose of trying offences means a magistrate of a royal, parliamentary or police burgh, and includes any judge officiating in any court for the trial of police offences under the provisions of any local or general Police Act:

"New certificate" means a certificate granted to any person in respect of any premises which are not certificated at the time of the application for such grant, but shall not apply to the rebuilding of certificated premises which have been destroyed by fire, tempest or other unforeseen and unavoidable calamity:

The expression "public-house" shall include a common inn, alehouse, victualling house or other premises in which any exciseable liquors are sold, by retail, to be drunk or consumed in the premises in which the same are sold:

The word "shebeen" shall mean and include every house, shop, room, premises or place in which exciseable liquors are trafficked in, by retail, without a certificate and excise licence in that behalf:

The expression "sweets" shall include sweets or made wines as defined in the Revenue Act, 1889: 52 & 53 Vict. c. 42.

The expression "trafficking" shall mean and include bartering, selling, dealing in, trading in, exposing or offering for sale by retail.

108. This Act may be cited as the Licensing (Scotland) Act, 1903, and shall apply to Scotland only. Short title and application.

109. Except as otherwise provided, this Act shall commence on the first day of January one thousand nine hundred and four. Provided that the Secretary for Scotland may, by order or orders under his hand at any time after the passing of this Act, and before the date of the first general half-yearly meeting of a licensing court constituted by this Act, prescribe the statutory duties to be performed before such date by members of and clerks to such courts, and otherwise provide as may be necessary for bringing this Act into full operation, and, save as provided in any such order, such members and clerks shall not enter on their ordinary duties until such date, and any such order shall have effect as if enacted in this Act, and shall be laid as soon as may be before Parliament. Subject to anything contained in any such order, and notwithstanding anything in this Act, it shall be lawful for justices and magistrates and their clerks respectively until such date to exercise any powers vested in them under the existing Commencement of Act.

Acts, in the same manner, and subject to the same conditions, as if this Act had not passed.

Repeal.

110. The enactments mentioned in the Twelfth Schedule annexed hereto are hereby repealed to the extent mentioned in the third column of that schedule.

SCHEDULES.

Section 3 (3).

FIRST SCHEDULE.

NUMBER AND CONSTITUTION OF LICENSING COURT IN COUNTIES OR DISTRICTS OF COUNTIES ACCORDING TO THE POPULATION OF EACH COUNTY OR DISTRICT.

CLASS I.—Population under 25,000.

LICENSING COURT.

County Councillors, 4; Justices, 4; Total, 8.

CLASS II.—From 25,000 to 50,000.

LICENSING COURT.

County Councillors, 6; Justices, 6; Total, 12.

CLASS III.—From 50,000 to 100,000.

LICENSING COURT.

County Councillors, 7; Justices, 7; Total, 14.

CLASS IV.—100,000 or over.

LICENSING COURT.

County Councillors, 9; Justices, 9; Total, 18.

SECOND SCHEDULE.

Sections 4 (2) (*c*), 8 (6) and 10 (2).

Part I.

Constitution of Appeal Court in each County for all the Burghs in the County of or exceeding 7,000 and under 20,000 Population.

County.	Burgh.	Present Population of Burgh.	Court to consist of			
			Magistrates.		Justices.	Total Number of Court.
			From each Burgh.	Total of Magistrates.		
Aberdeen -	Peterhead - -	11,794	3	6	6	12
	Fraserburgh - -	9,105	3			
Argyll -	Campbeltown -	8,286	3	6	6	12
	Dunoon - -	7,000	3			
Ayr - -	Irvine - - -	9,618	3	6	6	12
	Saltcoats - -	8,120	3			
Banff - -	Banff and Macduff	7,161	2	4	4	8
	Buckie - - -	7,483	2			
Bute - -	Rothesay - -	9,378	3	3	3	6
Caithness -	Wick - - -	8,199	3	3	3	6
Clackmannan	Alloa - -	11,421	3	3	3	6
Dumbarton -	Kirkintilloch -	10,502	3	6	6	12
	Helensburgh - -	8,554	3			
Dumfries -	Dumfries - -	13,092	3	3	3	6
Edinburgh -	Musselburgh - -	11,711	3	6	6	12
	Dalkeith - -	7,000	3			
Elgin - -	Elgin - - -	8,407	3	3	3	6
Fife - -	Buckhaven - -	8,421	2	6	6	12
	St. Andrews - -	7,621	2			
	Cowdenbeath - -	7,467	2			
Forfar - -	Montrose - -	12,427	2	8	8	16
	Forfar - - -	11,397	2			
	Broughty Ferry -	10,484	2			
	Brechin - -	8,941	2			
Lanark - -	Lower Ward:					
	Rutherglen -	16,185	3	6	6	12
	Kinning Park -	13,852	3			
Linlithgow -	Bo'ness - -	9,306	3	6	6	12
	Bathgate - -	7,000	3			
Renfrew -	Port Glasgow -	16,857	2	6	6	12
	Pollokshaws -	11,183	1			
	Johnstone - -	10,503	1			
	Barrhead - -	9,855	1			
	Renfrew - -	9,296	1			
Roxburgh -	Hawick - -	17,303	3	3	3	6
Selkirk - -	Galashiels - -	13,615	3	3	3	6
Stirling -	Stirling - -	18,403	2	4	4	8
	Grangemouth -	8,386	1			
	Kilsyth - -	7,292	1			

PART II.

Burgh.	Population.
Clydebank	20,000
Dumbarton	20,000
Haddington	4,000
Inverurie	4,000

Section 4 (3).

THIRD SCHEDULE.

NUMBER AND CONSTITUTION OF APPEAL COURT FOR EACH COUNTY WHETHER DIVIDED INTO DISTRICTS FOR THE PURPOSES OF THIS ACT OR NOT, ACCORDING TO THE POPULATION OF THE COUNTY OR THE MOST POPULOUS DISTRICT THEREIN.

CLASS I.—Population under 25,000.

APPEAL COURT.

County Councillors, 7 ; Justices, 7 ; Total, 14.

CLASS II.—From 25,000 to 50,000.

APPEAL COURT.

County Councillors, 9 ; Justices, 9; Total, 18.

CLASS III.—From 50,000 to 100,000.

APPEAL COURT.

County Councillors, 10; Justices, 10; Total, 20.

CLASS IV.—100,000 or over.

APPEAL COURT.

County Councillors, 12 ; Justices, 12 ; Total, 24.

FOURTH SCHEDULE.

No. 1.

Section 14.

Unto the honourable the licensing court for

The application of [*state full name, designation and present place of abode of applicant*]

Humbly showeth,

That the applicant is desirous to obtain a certificate for licence for [an inn and hotel, or public-house, *or* a dealer in groceries and provisions, *as*

the case may be] at [*place or street, and number*] in the parish [*or* burgh] of , and county of , for the ensuing year [*or* half year, *as the case may be*], in terms of this Act, and refers to the answers which are truly made to the subjoined queries:

State whether it is a renewal of a certificate at present in applicant's name, or in that of another party, or renewal of a transferred certificate, or a certificate for a new house, that applicant desires - - -	
Whether applicant has attained twenty-one years of age - - - - -	
Whether bred to the trade; or if not, to what other trade or business -	
Whether applicant carries on or intends to carry on or follow any other trade or occupation - - - - -	
Whether applicant holds a licence at present; and if so, state where the premises are situated, and how long he has held the same - -	
Whether applicant has any interest in any other business in premises at present licensed, or for which a certificate is sought; and if so, where those premises are severally situated	
State the actual rent of premises and the proprietor's or factor's name and designation - - - - - -	

Signature of applicant

Date

No. 2.

Report by Member of Licensing Court.

I, , a member of the licensing court for , hereby report that I personally examined the premises described in the foregoing application, and that the same are of suitable construction and accommodation for the purpose applied for, reserving to the licensing court to determine whether it be meet and convenient to grant the certificate applied for.

(*Signature of Member.*)

Certificate of Character and Qualification.

I, , a member of the licensing court for , certify, after careful inquiry, that designed in the foregoing application, is [*here state result of inquiry touching applicant's character and qualification*].

(*Signature of Member.*)

Sections 16, 17 and 30.

FIFTH SCHEDULE.

FORM OF REGISTER OF APPLICATIONS.

Nos.	Names and Designations of Applicants.	I. For Inns and Hotels, and where situated.	II. For Public-houses, and where situated.	III. For Dealers in Spirits, Groceries, and Provisions.	Persons recommending Applicants.	How disposed of.	Convictions, and Dates thereof.
1.							
2.							

DELIVERANCE.

(At the end of each day's register.)

At May

Numbers 2, 3, 6 (*as the case may be*) granted.
Numbers 1, 4, 5 refused.
Numbers 7, 8 continued (*or otherwise* disposed of)

LIST of APPLICANTS for CERTIFICATES for the Sale of Exciseable Liquors for the County [*or* of the County] of *or* Burgh of , for new Certificates, by new Tenants or Occupants, and for Renewal of transferred Certificates.

Name, Designation, and Residence of Applicant.	Number of Street of Burgh (or Place and Parish of County) of Premises.	Class of Certificate applied for.	Name and Address of Landlord or Factor of Premises.
	For new Certificate.		
	By new Tenants or Occupants.		
	For Renewal of Transferred Certificate.		

SIXTH SCHEDULE.

No. 1.

Sections 16, 34, 35, 37, 44 and 45.

Form of Certificate for Inns and Hotels.

At a general meeting for granting and renewing certificates for the sale of exciseable liquors held by the licensing court for the county [*or* district *or* burgh, *as the case may be*], of , holden at , on the day of , in the year one thousand nine hundred and , the licensing court acting for said county [*or* district *or* burgh] assembled at the said meeting did authorise and empower *A.L.*, now dwelling at , to keep an inn and hotel at , in the parish of and county aforesaid [*or* district *or* burgh aforesaid], for the sale in the said house, but not elsewhere, of victuals, and of spirits, wine, porter, ale, beer, cyder, perry or other exciseable liquors [*or* of victuals, and of porter, ale, beer, cyder or perry], [*or* of victuals and of wine, porter, ale, beer, cyder or perry] : Provided the said *A.L.* shall be licensed and empowered to sell such liquors under the authority and permission of any excise licence to him or her in that behalf granted, on the terms and conditions following (that is to say) : that the said *A.L.* do not fraudulently adulterate the bread or other victuals or liquor sold by him, or sell the same knowing them to have been fraudulently adulterated ; and do not sell any groceries or other uncooked provisions in the said house or premises, to be consumed elsewhere ; and do not knowingly permit any breach of the peace, drunkenness or riotous or disorderly conduct, within the said house or premises, and do not himself be in a state of intoxication on the premises ; and do not knowingly permit or suffer men or women of notoriously bad fame or girls or boys to assemble and meet therein ; and do not supply exciseable liquors to girls or boys apparently under fourteen years of age or to persons who are in a state of intoxication ; and do not permit or suffer any unlawful games therein ; and do not keep open house, or permit or suffer any drinking on any part of the premises belonging thereto, or sell or give out therefrom any liquors before eight of the clock in the morning of any day or after such hour at night of any day not earlier than ten and not later than eleven as the licensing court may direct, with the exception of refreshment to travellers or to persons requiring to lodge in the said house or premises ; and do not open his house for the sale of any exciseable liquors, or permit or suffer any drinking therein or on the premises belonging thereto, or sell or give out the same, on Sunday, except for the accommodation of lodgers and travellers ; and do maintain good order and rule within his house and premises ; and, lastly, do not transgress or commit any breach of the conditions of any permission to sell on a public or special occasion within his own house or elsewhere. This certificate to continue in force, upon the terms and conditions aforesaid, from the day of one thousand nine hundred and and until the twenty-eighth day of May one thousand nine hundred and , and no longer.

The above certificate is made out according to the deliverance in the book or register appointed to be kept in terms of the Act of Parliament.

C.D, Clerk.

No. 2.

Form of Certificate for Public-houses.

At a general meeting for granting and renewing certificates for the sale of exciseable liquors held by the licensing court for the county [*or* district *or* burgh, *as the case may be*] of , holden at , on the day of , in the

year one thousand nine hundred and the licensing court for the said county [*or* district *or* burgh] assembled at the said meeting did authorise and empower [*A.L.*], now dwelling at , to keep a public-house at in the parish of and county [*or* district *or* burgh] aforesaid, for the sale in the said house, but not elsewhere, of victuals and of spirits, wine, porter, ale, beer, cyder, perry and other exciseable liquors [*or* of victuals, and of porter, ale, beer, cyder, or perry] [*or* of victuals and of wine, porter, ale, beer, cyder or perry]: Provided that the said *A.L.* shall be licensed and empowered to sell such liquors under the authority and permission of any excise licence to him in that behalf granted, on the terms and conditions following (that is to say): that the said *A.L.* do not fraudulently adulterate the bread or other victuals or liquors sold by him, or sell the same knowing them to have been fraudulently adulterated; and do not sell any groceries or other uncooked provisions in the said house or premises, to be consumed elsewhere; and do not knowingly permit any breach of the peace, drunkenness or riotous or disorderly conduct, within the said house or premises, and do not himself be in a state of intoxication on the premises; and do not permit or suffer men or women of notoriously bad fame or girls or boys to assemble and meet therein; and do not sell or supply exciseable liquor to girls or boys apparently under fourteen years of age or to persons who are in a state of intoxication, and do not receive or take in, as the price or for the supply of exciseable liquors, any wearing apparel, goods or chattels; and do not permit or suffer any unlawful games therein; and do not keep open house, or permit or suffer any drinking in any part of the premises belonging thereto, or sell or give out therefrom any liquors, before eight of the clock in the morning of any day, or after such hour at night of any day not earlier than ten and not later than eleven as the licensing court may direct; and do not open his house for the sale of any liquors, or permit or suffer any drinking therein, or on the premises thereto belonging, or sell or give out the same, or any other goods or commodities, on Sunday; and, lastly, do not transgress or commit any breach of the conditions of any permission to sell on a public or special occasion within his own house or elsewhere; and do maintain good order and rule within his house and premises. This certificate to continue in force, upon the terms and conditions aforesaid, from the day of one thousand nine hundred and , and until the twenty-eighth day of May one thousand nine hundred and , and no longer.

The above certificate is made out according to the deliverance in the book or register appointed to be kept in terms of the Act of Parliament.

C.D., Clerk.

No. 3.

FORM OF CERTIFICATE FOR DEALERS IN EXCISEABLE LIQUORS, AND GROCERS AND PROVISION DEALERS TRADING IN EXCISEABLE LIQUORS.

At a general meeting for granting or renewing certificates for the sale of exciseable liquors held by the licensing court acting for the county [*or* district *or* burgh, *as the case may be*], of holden at on the day of , in the year one thousand nine hundred and , the licensing court acting for the said county [*or* district *or* burgh] assembled at the said meeting did authorise and empower *A.L.*, now dwelling at , to keep premises at , in the parish and county aforesaid [*or* district *or* burgh aforesaid], for the sale therein, but not elsewhere, of spirits, wine, porter, ale, beer, cyder, perry or other exciseable liquors [*or* of porter, ale, beer, cyder or perry], [*or* of wine, porter, ale, beer, cyder

or perry]: Provided the said *A.L.* shall be licensed and empowered to sell such liquors under the authority and permission of any excise licence to him in that behalf granted, on the terms and conditions following (that is to say): that the said *A.L.* do not fraudulently adulterate the liquors sold by him, or sell the same knowing them to have been fraudulently adulterated; and do not knowingly permit any breach of the peace, drunkenness or riotous or disorderly conduct within the said premises, and do not himself be in a state of intoxication on the premises; and do not sell or supply exciseable liquors to persons who are in a state of intoxication or to girls or boys apparently under fourteen years of age, and do not traffic in or give any spirits, wine or other exciseable liquors [*or* wine, porter, ale, beer, cyder and perry], [*or* porter, ale, beer, cyder and perry], to be drunk or consumed on the said premises, and do not receive or take in as the price or for the supply of exciseable liquors, any wearing apparel, goods or chattels; and do not traffic in or give out therefrom any liquors before eight of the clock in the morning of any day, or after such hour at night of any day, not earlier than ten and not later than eleven, as the licensing court may direct; and do not open his premises for business, or for the sale of any liquors, or any goods or commodities whatsoever, or sell or give out the same, on Sunday; and, lastly, do maintain good order and rule within his premises. This certificate to continue in force, upon the terms and conditions aforesaid from the day of , one thousand nine hundred and and until the twenty-eighth day of May one thousand nine hundred and and no longer.

The above certificate is made out according to the deliverance in the book or register appointed to be kept in terms of the Act of Parliament.

C.D., Clerk.

SEVENTH SCHEDULE.

Section 27.

The following Fees to be payable to Clerks of the Peace, Sheriff Clerks and Town Clerks, acting under this Act:—

	£	*s.*	*d.*
Each printed copy of form of application for certificate - -	0	0	6
Lodging application - - - - -	0	2	6
Lodging objection - - - - - -	0	2	6
Inspection of register, or applications, for each hour or part of an hour - - - - - - -	0	1	0
Warrant on complaint - - - - -	0	2	0
Each witness examined in trials - - - -	0	1	0
Conviction - - - - -	0	2	6
Deciding objections - - - - -	0	1	0
Lodging appeal and finding caution - - -	0	3	0
Deciding appeal - - - - - -	0	2	6
Extracts or certified copies of any proceedings, warrants or conviction, per sheet, written or printed, of 150 words - -	0	1	0

EIGHTH SCHEDULE.

No. 1.

Application for Confirmation of New Certificate.

Section 28.

To the court of appeal from the licensing court for

I, *A.B.*, hereby apply for confirmation of the grant made to me of the certificate herewith produced by the licensing court for [*give date*].

(Signed) [*A.B.*]
or
[*C.D., law agent of A.B.*]

No. 2.

CONFIRMATION OF NEW CERTIFICATE.

This certificate was confirmed by the court of appeal from the licensing court for , at a meeting holden on the day of in the year .

The above confirmation is made out according to the deliverance in the book or register appointed to be kept in terms of the Act of Parliament.

G.H., Clerk.

Section 32.

NINTH SCHEDULE.

TRANSFER OF CERTIFICATE.

[*Place and date.*] Whereas *A.L.*, designed in the within certificate for keeping a , at for the retail of exciseable liquors under excise licences, has : And whereas *M.N.* [*here state the qualification for grant of a transfer, as the case may be*] is desirous to have the said certificate transferred to him, in order that he may carry on the said business there : And whereas it is considered by the licensing court [or (*as the case may be*) by us, two of the members of the licensing court] for that he is a person fit to be intrusted to carry on the said business there, we hereby transfer the said certificate to him accordingly, subject to all the conditions therein specified, in the same manner as if he were the person to whom it was originally granted ; this certificate to be of force only until and to be duly presented for entry at the Office of Inland Revenue, within days from this date, otherwise the same to be null and void to all intents and purposes.

[*Signatures of clerk to the licensing court or of two members of the licensing court, as the case may be.*]

Section 78 (1).

TENTH SCHEDULE.

FORM OF CERTIFICATE TO ACCOMPANY APPLICATION BY CLUB FOR REGISTRATION OR RENEWAL.

We, justices of the peace for the county of [or *magistrates of the burgh of*] and I, owner of the premises occupied [or *to be occupied*] by the club hereinafter mentioned hereby certify that to the best of our knowledge and belief the club designated in the accompanying application is to be [or, in the case of an application by an existing club, *has been and is to be*] conducted as a *bonâ fide* club, and not mainly for the supply of exciseable liquor.

[Signature, date and address of each person certifying to be here inserted.]

FORM OF CERTIFICATE OF REGISTRATION OF CLUBS TO BE GRANTED UNDER THIS ACT.

Certificate of Registration.

I, , Sheriff Clerk of , Registrar of Clubs, hereby certify that the club of* is registered under the Licensing (Scotland) Act, 1903. This certificate remains in force till

* Fill in registered postal address of all premises used by the club.

the day of , 19 ; application for its renewal must be made not later than the day of , 19 .

Given under my hand this day of 19 .

Registrar of Clubs.

ELEVENTH SCHEDULE.

Section 100.

NOTICE OF CONVICTION FOR BREACH OF CERTIFICATE, FOR WHICH THE CERTIFICATE HAS BEEN FORFEITED.

Unto the Honourable the Commissioners of His Majesty's Inland Revenue, or to the collector of Inland Revenue of district in Scotland.

This is to certify, that *C.D.* of in the County [*or* Burgh] of was, on the day of , in the year one thousand nine hundred and at convicted before *G.H.* Esquire and *J.K.* Esquire, two of His Majesty's justices of the peace for [*or, as the case may be*], for a breach of the conditions and terms of the certificate to him or her in that behalf granted; and the certificate of the said *C.D.* to keep an inn and hotel [*or, as the case may be*] has by the aforesaid justices been adjudged null and void. Given under my hand, this day of in the year one thousand nine hundred and .

S.K., Clerk to the Licensing Court for .

TWELFTH SCHEDULE.

Sections 70 (4), 110.

PART I.

Session and Chapter.	Short Title.	Extent of Repeal.
9 Geo. 4. c. 58.	The Licensing (Scotland) Act, 1828.	Whole Act.
16 & 17 Vict. c. 67.	The Licensing (Scotland) Act, 1853.	Whole Act.
25 & 26 Vict. c. 35.	The Public Houses Acts Amendment (Scotland) Act, 1862.	Whole Act.
39 & 40 Vict. c. 26.	The Publicans' Certificates (Scotland) Act, 1876.	Whole Act.
40 & 41 Vict. c. 3.	The Publicans' Certificates (Scotland) Act (1876) Amendment Act, 1877.	Whole Act.
43 & 44 Vict. c. 20.	Inland Revenue Act, 1880.	Section forty-four, so far as applicable to Scotland.
44 & 45 Vict. c. 58.	The Army Act	Section one hundred and seventy-four, so far as applicable to Scotland.
50 & 51 Vict. c. 38.	The Public Houses Hours of Closing (Scotland) Act, 1887.	Whole Act.

Session and Chapter.	Short Title.	Extent of Repeal.
55 & 56 Vict. c. 55.	Burgh Police (Scotland) Act, 1892.	Section five hundred and fifteen.
60 & 61 Vict. c. 50.	Licensing Amendment (Scotland) Act, 1897.	Whole Act.
63 & 64 Vict. c. 28.	The Inebriates Amendment (Scotland) Act, 1900.	Section two.
1 Edw. 7. c. 27.	The Intoxicating Liquors (Sale to Children) Act, 1901.	Whole Act, so far as applicable to Scotland.

PART II.

Session and Chapter.	Short Title.	Extent of Repeal.
18 & 19 Vict. c. cclxxiii.	Glasgow Police Act, 1866.	Sub-section thirty-one of section one hundred and forty-nine. Section two hundred and thirty-seven, the words "be intoxicated while on duty, or if," and the word "he," where first occurring.
25 & 26 Vict. c. cciii.	Aberdeen Police and Waterworks Act, 1862.	Section one hundred and forty-six, the words "every person who is drunk in any street or public place, and is guilty of any riotous or indecent behaviour therein, and"
40 & 41 Vict. c. cxciii.	Greenock Police Act, 1877.	Section four hundred and sixteen, the word "drunk."
42 & 43 Vict. c. cxxxii.	Edinburgh Municipal and Police Act, 1879.	Sub-section six of section two hundred and forty-seven as amended. Sub-section four of section two hundred and forty-eight.
55 & 56 Vict. c. ccxxxv.	Dundee Extension and Improvement Act, 1892.	Section eighty-five.
55 & 56 Vict. c. 55.	Burgh Police (Scotland) Act, 1892.	Sub-section eleven of section three hundred and eighty. Sub-section twenty-four of section three hundred and eighty-one.

CHAPTER 26.

An Act to render valid Marriages heretofore solemnized at the Ellerker Chapel-of-Ease, Brantingham, and at the Churches of Saint Mark, Marske-in-Cleveland, All Saints, Brightwaltham (otherwise Brightwalton) and Saint Mary, Great Ilford, and at the Old Baptist Union Chapel, Grays Thurrock, and Marriages solemnized after banns published at the Mission Room in the parish of Marrick. [14th August 1903.]

WHEREAS the Ellerker Chapel-of-Ease, in the parish of Brantingham, in the county and diocese of York, was rebuilt and consecrated for the performance of divine service in the year eighteen hundred and forty-four, but does not appear to have been licensed by the bishop of the said diocese or otherwise for the publication of banns and the solemnization of marriages therein:

And whereas the church of Saint Mark, in the parish of Marske-in-Cleveland, in the county and diocese of York, was built and consecrated in the year eighteen hundred and sixty-seven, and the church of All Saints in the parish of Brightwaltham (otherwise Brightwalton), in the county of Berkshire and diocese of Oxford, was built and consecrated in the year eighteen hundred and sixty-three, and in each case the church so built was intended to be substituted for the ancient parish church of the parish, but it does not appear that any deed of substitution was executed at the time:

And whereas, by a deed of substitution dated the twenty-fourth of April nineteen hundred and two, the church of Saint Clement, Great Ilford, in the county of Essex and diocese of Saint Alban's, was substituted as the parish church for the old parish church of Saint Mary, and the latter church thereby ceased to be one in which marriages could legally be solemnized, until again licensed by the bishop:

And whereas divers marriages have nevertheless been solemnized in the said chapel and churches respectively:

And whereas in the years nineteen hundred and one and nineteen hundred and two certain marriages were solemnized in the Old Baptist Union Chapel at Grays Thurrock, in the district of Orsett, in the county of Essex, and the said chapel was not registered by the Registrar-General pursuant to the Marriages Act, 1836: 6 & 7 Will. 4. c. 85.

And whereas, since the month of September in the year eighteen hundred and ninety-three, certain banns have been published in the Mission Room of the parish of Marrick, in the North Riding of the county of York and in the diocese of Ripon, and certain marriages have been solemnized after those banns, but that Mission Room was not licensed for the publication of banns:

And whereas it is expedient under the circumstances aforesaid to remove all doubts touching the validity of the marriages so solemnized:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Validation of certain marriages heretofore solemnized.

1.—(1) All banns of matrimony and marriages published and solemnized before the passing of this Act in the said Ellerker Chapel-of-Ease and in the said churches of Saint Mark, Marske-in-Cleveland, All Saints, Brightwaltham (otherwise Brightwalton) and Saint Mary, Great Ilford, shall be as valid as if they had been published and solemnized in a church duly consecrated and licensed for marriages.

(2) All marriages solemnized in the said Old Baptist Union Chapel at Grays Thurrock, in the district of Orsett, in the county of Essex, during the years aforesaid, shall be as valid as if the said chapel had been duly registered in accordance with the provisions of the above recited Act before the solemnization of those marriages.

(3) All banns published in the said Mission Room in the parish of Marrick since the month of September in the year eighteen hundred and ninety-three, and all marriages solemnized after those banns, shall be as valid as if the Mission Room had been duly licensed for the publication of banns.

(4) A minister who has solemnized any marriage to which this section refers shall not be liable to any proceedings for penalties whatsoever or to any ecclesiastical censure by reason of having solemnized the marriage.

(5) The register of the marriages so solemnized, or copies of the register, shall be received in all courts as evidence of those marriages in the same manner as registers of marriages duly solemnized, or copies thereof, are by law receivable in evidence.

Short title.

2. This Act may be cited as the Marriages Legalization Act, 1903.

CHAPTER 27.

An Act to authorise the Treasury to guarantee the payment of a Loan to be raised by the Transvaal, and to provide for the application of any sums paid by that Colony or the Orange River Colony towards the expenses incurred by His Majesty's Government in or incidental to the prosecution of the late war in South Africa. [14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Power to Treasury to guarantee loans.

1.—(1) The Treasury may, subject to the provisions of this Act, guarantee, in such manner as they think fit, the payment of the interest at a rate not exceeding three per cent. per annum on

any loan raised by the Transvaal for the purposes set out in the schedule to this Act, not exceeding in the aggregate an amount sufficient to raise thirty-five million pounds, and also the sinking fund payments for the repayment of the principal of the loan as fixed in accordance with this Act.

(2) A guarantee shall not be given in pursuance of this Act until the Government of the Transvaal have provided to the satisfaction of the Treasury and the Secretary of State—

(*a*) for raising, appropriating and duly applying the loan for the purposes and in the manner set out in the Schedule to this Act, subject to any arrangements which may be made for the application of savings on one head of expenditure to another head of expenditure:

(*b*) for the establishment and regulation of a sinking fund for the purpose of the repayment, within a period not exceeding fifty years from the first day of April nineteen hundred and four, of the principal of the loan:

(*c*) for charging on the general revenues and assets of the colony, or on any other revenues or assets which may be made available for the purpose, with priority over any charges not existing at the date of the passing of this Act, the principal and interest of the loan and any sinking fund payments for the repayment of the principal of the loan:

(*d*) for charging on the general revenues and assets of the colony, immediately after the last mentioned charge, the repayment to the Treasury of any sum issued out of the Consolidated Fund, under this Act, on account of the guarantee of the loan, with interest thereon at the rate of four per cent. per annum:

(*e*) for raising or securing the raising of sufficient money to meet the above charges.

(3) If any loan guaranteed under this Act is raised by stock, to which the Colonial Stock Act, 1877, applies, section nineteen of that Act shall not apply. 40 & 41 Vict. c. 59.

(4) Every Act or ordinance of the Legislature of the Transvaal which in any way impairs the validity or priority of any such charge shall, so far as it impairs the same, be void, unless the consent of the Treasury and the Secretary of State has been previously obtained.

(5) Any sums required by the Treasury for fulfilling their guarantee, given under this Act, shall be charged on and issued out of the Consolidated Fund or the growing produce thereof, and any sums paid on account of the repayment of any amount so issued out of the Consolidated Fund shall be paid into the Exchequer.

(6) The Treasury shall lay before both Houses of Parliament a statement of any guarantee, given under this Act, and an account of any sums issued out of the Consolidated Fund for the purpose of any such guarantee, as soon as may be after any guarantee is so given or any sum is so issued.

Application of contribution towards war expenses.

2.—(1) Any sums repaid to His Majesty's Government by the Transvaal, out of the loan guaranteed under this Act, on account of temporary advances made on behalf of that colony or the

Orange River Colony during the late war shall, up to an amount of three million pounds, be paid into the Exchequer and, as to the balance, be paid to the National Debt Commissioners and applied by them towards the discharge of any Exchequer bonds or Treasury bills falling due during the financial year ending the thirty-first of March nineteen hundred and four.

(2) Any sums paid by the Transvaal as a contribution in respect of the expenses incurred by His Majesty's Government in or incidental to the prosecution of the South African war and any sums paid for a similar purpose by the Orange River Colony shall be paid to the National Debt Commissioners and applied by them in paying off, as occasion requires, any securities issued under the War Loan Act, 1900, or the Supplemental War Loan Act, 1900, or the Supplemental War Loan (No. 2) Act, 1900, or otherwise in reduction of debt.

(3) The National Debt Commissioners may invest temporarily any sums paid to them under this section which are not immediately required for the purpose for which they are to be applied.

Short title.

3. This Act may be cited as the South African Loan and War Contribution Act, 1903.

SCHEDULE.

	£	£
I. Existing Liabilities:		
A. Deficit of the Transvaal of 1901–2 -	1,500,000	
B. Former debt of the South African Republic - - - -	2,500,000	
C. Compensation by the Transvaal and Orange River Colony to Loyalists in Cape Colony and Natal - -	2,000,000	
		6,000,000
II. Acquisition of Existing Railways in the Transvaal and Orange River Colony -	—	14,000,000
III. Repatriation and Compensation in the Transvaal and Orange River Colony:		
A. Advances by way of Loan -	3,000,000	
B. Other charges - - -	2,000,000	
		5,000,000
IV. New development in the Transvaal and Orange River Colony:		
A. New Railways - - -	5,000,000	
B. Land Settlement - - -	3,000,000	
C. Other Public Works - -	2,000,000	
		10,000,000
Total - -		£35,000,000

CHAPTER 28.

An Act to grant Money for the purpose of certain Local Loans out of the Local Loans Fund and for other purposes relating to Local Loans. [14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Grants for public works.

1.—(1) For the purpose of local loans there may be issued by the National Debt Commissioners the following sums, namely:—

(*a*) For the purpose of loans by the Public Works Loan Commissioners any sum or sums not exceeding in the whole the sum of seven million pounds;

(*b*) For the purpose of loans by the Commissioners of Public Works in Ireland any sum or sums not exceeding in the whole the sum of nine hundred thousand pounds.

(2) The sums so issued shall be issued during a period ending on the day on which a further Act granting money for the purposes of those loans comes into operation and in accordance with the provisions of the National Debt and Local Loans Act, 1887.

50 & 51 Vict. c. 16.

Certain debts not to be reckoned as assets of local loans fund. 50 & 51 Vict. c. 16.

2. Whereas it is expedient that the principal of the several local loans specified in the schedule to this Act should, to the extent specified in the last column of that schedule, not be reckoned as assets of the local loans fund established under the National Debt and Local Loans Act, 1887; therefore the principal of the said loans shall, to that extent, be written off from the assets of the local loans fund, and the provisions of section fifteen of the said Act shall, so far as applicable, apply thereto.

Remission of certain claims against Port Seton Harbour Commissioners.

3. Whereas the Public Works Loan Commissioners in the year eighteen hundred and eighty-two advanced to the Port Seton Harbour Commissioners, on the security of the harbour revenues, undertaking and property, sums amounting to seven thousand pounds towards defraying the cost of works authorised by the Port Seton Harbour Order, 1878, the said loan being repayable with interest at four pounds five shillings per cent. per annum in a period expiring on the eleventh day of November nineteen hundred and thirty-one:

And whereas the interest and instalments of principal, due in respect of the loan, were duly paid until the eleventh of November eighteen hundred and ninety-three, since which date the income of the harbour has proved insufficient to meet the payments, and there are now due to the Loan Commissioners arrears of interest which amounted on the thirty-first day of March last to one thousand seven hundred and eleven pounds, seventeen shillings and a penny, while the principal outstanding amounts to five thousand five hundred and nine pounds, sixteen shillings and a penny:

And whereas repairs and improvements to the harbour are needed in order to render the accommodation adequate and safe, and the Harbour Commissioners are unable to raise the money for carrying out such works as long as the said debt remains, and it is therefore expedient that such debt should be remitted:

Therefore the said principal debt of five thousand five hundred and nine pounds, sixteen shillings and a penny, with all claims for interest thereon, shall be extinguished, and the amount thereof shall be deemed a free grant from Parliament.

Short title.

4. This Act may be cited as the Public Works Loans Act, 1903.

SCHEDULE.

Section 2.

PART I.

LOAN BY THE PUBLIC WORKS LOAN COMMISSIONERS.

LOAN UNDER THE HARBOURS AND PASSING TOLLS ACT, 1861 (24 & 25 Vict. c. 47).

Name of Borrower.	Amount of Loan.	Amount to be Written off.
	£ s. d.	£ s. d.
Port Seton Harbour Commissioners -	7,000 0 0	5,509 16 1

PART II.

LOANS BY THE COMMISSIONERS OF PUBLIC WORKS, IRELAND.

(1.) LOANS UNDER THE LANDED PROPERTY IMPROVEMENT (IRELAND) ACT, 1847 (10 Vict. c. 32).

Name of Borrower.	Amount of Loan.	Amount to be Written off.
	£ s. d.	£ s. d.
Timothy Sullivan - - -	130 0 0	8 1 10
Sundry Items - - - -	—	33 1 1

(2.) LOANS UNDER THE LAND LAW (IRELAND) ACT, 1881 (44 & 45 Vict. c. 49. s. 31).

Name of Borrower.	Amount of Loan.	Amount to be Written off.
	£ s. d.	£ s. d.
John Houlihan - - - -	325 0 0	5 5 0

PART III.

LOANS BY THE FISHERY BOARD FOR SCOTLAND.

LOANS UNDER THE CROFTERS' HOLDINGS (SCOTLAND) ACT, 1886 (49 & 50 Vict. c. 29).

Names and Addresses of Borrowers.	Fishery District.	Amount of Loan.	Amount to be Written off.
		£	£ s. d.
George Bain and James Webster, both of Pulteneytown, Wick.	Wick - -	96	10 7 1
Angus McLeod, Malcolm McLeod, Norman McLeod, Kenneth McLeod, Kenneth McIver and Angus McIver, all of Tolsta, Stornoway.	Stornoway -	270	22 8 3
Kenneth McLeod, senior, James McKenzie, Donald Munro, Murdo Murray and Kenneth McLeod, junior, all of Knock, Stornoway.	Stornoway -	256	52 19 4

CHAPTER 29.

An Act to make further Provision for Defraying the Expenses of certain Military Works and other Military Services. [14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Further grant for military works.
60 & 61 Vict. c. 7.
62 & 63 Vict. c. 41.
1 Edw. 7. c. 40.

1.—(1) The Treasury shall issue out of the Consolidated Fund or the growing produce thereof, in addition to the sums authorised by the Military Works Acts, 1897, 1899 and 1901, such further sums, not exceeding in the whole five million pounds, as may be required by a Secretary of State for defraying the cost of the works mentioned in the Schedule to this Act; and, in addition to the sums so authorised, any sums, not exceeding in the whole five hundred thousand pounds, realised by the sale of any existing barracks, which become unnecessary in consequence of those works, shall also be applied towards defraying the cost of those works.

(2) Subsections two and three of section one of the Military Works Act, 1897, (which relate to control over expenditure) and section two of that Act (which relates to the mode in which money may be raised) shall apply with respect to the sums authorised by this Act to be issued, as if those provisions were herein re-enacted and in terms made applicable to this Act, but, in the application of the said section two, the maximum period of the terminable annuities shall be a period not exceeding thirty years from the dates of borrowing, instead of a period not exceeding thirty years from the passing of the Military Works Act, 1897.

(3) The Bank of England may lend any money which the Treasury are authorised to raise under this Act.

(4) The Military Works Acts, 1897, 1899 and 1901, shall have effect as if there were substituted for the Schedule to each of those Acts so much of the Schedule to this Act as relates to sums provided under those Acts respectively, and as if the sums allocated to works in those Acts had been allocated as shown in the Schedule to this Act.

Short title.

2. This Act may be cited as the Military Works Act, 1903.

SCHEDULE.

MILITARY WORKS.*

Heads.	Sums provided in Military Works Act, 1897.	Sums provided in Military Works Act, 1899.	Sums provided in Military Works Act, 1901.	Sums provided in Military Works Act, 1903.	Total Provision.
	£	£	£	£	£
1. Defence Works - - - -	1,120,000	1,000,000	750,000	594,000	3,464,000
2. Barracks, including provision of new barracks in consequence of additions to the Army and improvements to existing barracks.					
(*a*) Home Stations :—					
Aldershot District -	262,000	135,000	1,104,000	20,000	1,521,000
Southern District -	471,000	1,707,000	940,000	540,000	3,658,000
Ireland District -	518,000	180,000	432,000	80,000	1,230,000
Eastern District - -	366,000	165,000	540,500	108,000	1,179,500
North Eastern and North Western Districts.	13,000	98,000	207,000	55,000	373,000
Scotland District -	20,000	35,000	390,000	370,000	815,000
(*b*) Hospitals and Educational Establishments.	—	—	—	400,000	400,000
(*c*) Barracks at Foreign Stations :—					
Egypt - - -	—	—	164,000	—	164,000
Naval Bases and Coaling Stations.	1,187,000	450,000	410,000	202,000	2,249,000
South Africa - -	152,000	—	—	2,300,000	2,452,000
Total - -	- -	- -	- -	4,075,000	14,041,500
Less—proceeds of sale of Sundry Barracks.	- -	- -	- -	500,000	500,000
Net Total -	2,989,000	2,770,000	4,207,500	3,575,000	13,541,500
3. Ranges, including accommodation for manœuvring and mobilisation :—					
(*a*) Artillery and Rifle Ranges and Training Grounds.	1,029,000	40,000	540,000	350,000	1,959,000
(*b*) Mobilisation and Store Rooms.	120,000	—	590,000	346,000	1,056,000
Total - -	1,149,000	40,000	1,130,000	696,000	3,015,000
4. Staff and Contingencies - -	200,000	190,000	265,000	135,000	790,000
			SUMMARY.		
1. Defence Works - - -	1,120,000	1,000,000	750,000	594,000	3,464,000
2. Barracks - - - -	2,989,000	2,770,000	4,207,500	3,575,000	13,541,500
3. Ranges, including accommodation for manœuvring and mobilisation.	1,149,000	40,000	1,130,000	696,000	3,015,000
4. Staff and Contingencies - -	200,000	190,000	265,000	135,000	790,000
Total - -	5,458,000	4,000,000	6,352,500	5,000,000	20,810,500

*These works are partly new works and partly works which have been commenced and not completed under the Military Works Acts, 1897, 1899 and 1901. No building is to be undertaken which cannot be completed within the sums granted under these Acts.

CHAPTER 30.

An Act to facilitate the Introduction and Use of Electrical Power on Railways. [14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Introduction of electrical power under orders of Board of Trade.

1.—(1) With the object of facilitating the introduction and use of electrical power on railways, the Board of Trade may, upon the application of a railway company, make orders for all or any of the following purposes, namely:—

(*a*) authorising a railway company to use electricity, in addition to or in substitution for any other motive power, and for any other purpose;

(*b*) authorising the company to construct and maintain generating stations or other electrical works on any land belonging to the company;

(*c*) authorising agreements between the company and any body corporate or other person for the supply to the company of electrical power or the supply to or use by the company of any electrical plant or equipment;

(*d*) sanctioning any modification of any working agreement, so far as the modification is agreed to between the parties thereto and is consequential on the introduction or use of electrical power;

(*e*) authorising the company to subscribe to any electrical undertaking which will facilitate the supply of electricity to the company;

(*f*) securing the safety of the public;

(*g*) authorising the issue of new capital by the company for any of the purposes of this Act;

(*h*) any other matters, whether similar to the above or not, which may be considered ancillary to the objects of the order or expedient for carrying those objects into effect.

(2) An order made by the Board of Trade under this Act shall, on coming into operation, have effect as if enacted by Parliament.

Acquisition of land for electrical works.

2.—(1) An order under this Act may contain provisions authorising the acquisition of land, by any railway company, for the purpose of constructing generating stations or other electrical works, but, if power is given by order to acquire the land otherwise than by agreement, the order shall not come into operation, so far as it gives that power, unless confirmed by Parliament, and the Board of Trade may bring in a Bill for confirming the order.

(2) If, while a Bill confirming any such order is pending in either House of Parliament, a petition is presented against the order, the Bill, so far as it relates to the order, may be referred to a Select Committee or, if the two Houses of Parliament think

fit so to order, to a Joint Committee of those Houses, and the petitioner shall be allowed to appear and oppose, as in the case of Private Bills.

Board of Trade inquiries.

3.—(1) Before making an order under this Act, the Board of Trade shall be satisfied that the public notice, required by rules made under this Act, of the application for the order has been given, and shall consider any objections, made by the council of any county, any local authority or other person, to the application in accordance with those rules, and give to those by whom the objection is made an opportunity of being heard, and, if after consideration the Board decide that the objection should be upheld, the Board shall not make the order or shall modify the order so as to remove the objection.

(2) The Board of Trade may, if they think fit, hold a local inquiry for the purpose of considering any application for an order under this Act, and the Board of Trade Arbitrations, &c. Act, 1874, shall apply to any inquiry so held as if—

37 & 38 Vict. c. 40.

(*a*) the inquiry was held on an application made in pursuance of the special Act; and

(*b*) the parties making the application for the order and any person objecting to any such application were parties to the application within the meaning of section three of that Act.

Expenses and fees.

4.—(1) The Board of Trade may (with the concurrence of the Treasury as to number and remuneration) appoint or employ such persons as appear to them to be required for carrying this Act into effect, and the remuneration of such persons and any other expenses of the Board of Trade under this Act shall be defrayed out of moneys provided by Parliament.

(2) There shall be charged, in respect of proceedings under this Act before the Board of Trade, such fees as may be fixed by the Treasury on the recommendation of the Board of Trade.

Power to Board of Trade to make rules.

5. The Board of Trade may make such rules as they think necessary for regulating the notices and advertisements to be given of any application for an order under this Act or otherwise for the purposes of this Act, and any other matter which they think expedient to regulate by rule for the purpose of carrying this Act into effect.

Interpretation, saving, short title and commencement.

6.—(1) In this Act the expression "railway company" includes a company or person working a railway under lease or otherwise.

(2) Nothing in this Act shall affect any powers which a railway company may have independently of this Act.

(3) This Act may be cited as the Railways (Electrical Power) Act, 1903.

(4) This Act shall come into operation on the first day of January nineteen hundred and four.

CHAPTER 31.

An Act to transfer to the Board of Agriculture powers and duties relating to the Industry of Fishing and to amend the Board of Agriculture Act, 1889.

[14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Superintendence of Fisheries transferred to Board of Agriculture.

1.—(1) The Board of Agriculture shall after the commencement of this Act be styled the Board of Agriculture and Fisheries, and references in any Act or document to the Board of Agriculture shall be construed as references to the Board of Agriculture and Fisheries.

(2) The powers and duties of the Board of Trade, under the enactments specified in the Schedule to this Act and under any certificate given or order made in pursuance of any of those enactments, and any powers and duties of the Board of Trade or any officer of that Board under any local and personal Act, which relate solely to the industry of fishing, shall be transferred to the Board of Agriculture and Fisheries or, in the case of the powers and duties of any officer, to such officer of the Board of Agriculture and Fisheries as the Board nominate for the purpose.

52 & 53 Vict. c. 30.

(3) Section four of the Board of Agriculture Act, 1889, shall have effect, as respects the transfer of any powers and duties of a Government Department which appear to His Majesty to relate to the industry of fishing, in the same manner as with respect to powers and duties which appear to His Majesty to relate to agriculture or forestry, and sections two and four of that Act shall be read as if the words "the industry of fishing" were added after the word "agriculture."

(4) Sections nine (transfer of officers) and eleven (construction of Acts and documents) of the Board of Agriculture Act, 1889, shall apply, in relation to the powers and duties transferred by or in pursuance of this Act, as if they were transferred by or in pursuance of that Act and as if the date of the commencement of this Act were substituted for the date of the establishment of the Board of Agriculture.

24 & 25 Vict. c. 109.

(5) The limitation contained in section thirty-one of the Salmon Fishery Act, 1861, as to the number and term of office of the inspectors of fisheries, shall cease to apply, and those inspectors may be appointed by the Board of Agriculture and Fisheries under section five of the Board of Agriculture Act, 1889.

48 & 49 Vict. c. 70.

(6) The Board of Agriculture and Fisheries shall be substituted for the Board of Trade as respects communication and returns in section six of the Sea Fisheries (Scotland) Amendment Act, 1885.

31 & 32 Vict. c. 45.

(7) Where any portion of the sea shore, proposed to be comprised in an order under Part III. of the Sea Fisheries Act, 1868, is under

+—

the management of the Board of Trade, the order shall not be made without the consent of that Board, and section forty-six of that Act shall be construed accordingly.

(8) The Merchandise Marks (Prosecutions) Act, 1894 (which relates to the undertaking by the Board of Agriculture of prosecutions under the Merchandise Marks Act, 1887, in certain cases) shall apply to the produce of any fishing industry as it applies to agricultural or horticultural produce.

(9) Subsection three of section five of the Board of Agriculture Act, 1889, shall apply to expenses incurred by the Board of Agriculture and Fisheries, in the execution of any powers and duties transferred by or in pursuance of this Act, as it applies to expenses incurred by that Board in the execution of their duties under that Act.

Amendment of 52 & 53 Vict. c. 30.

2.—(1) Any Order in Council made under section four of the Board of Agriculture Act, 1889, may be varied or revoked by an Order in Council made in accordance with the provisions of that section.

(2) The expression "Secretary" in the Board of Agriculture Act, 1889, shall include assistant secretary.

Extent, commencement and short title.

3.—(1) Nothing in this Act shall transfer or authorise the transfer of any powers or duties exerciseable in or in relation to Scotland or any part of the sea adjoining Scotland, except so far as is expressly provided by this Act as respects communications and returns, and except so far as respects the river Esk and its banks and tributaries, referred to in section sixty-three of the Salmon Fishery Act, 1865.

28 & 29 Vict. c. 121.

(2) This Act may be cited as the Board of Agriculture and Fisheries Act, 1903, and shall come into operation on the first day of October nineteen hundred and three.

(3) The Board of Agriculture Act, 1889, and this Act may be cited together as the Board of Agriculture and Fisheries Acts, 1889 and 1903.

SCHEDULE.

ENACTMENTS RELATING TO POWERS AND DUTIES OF THE BOARD OF TRADE TRANSFERRED TO THE BOARD OF AGRICULTURE.

1. SALMON AND FRESHWATER FISHERIES ACTS.

24 & 25 Vict. c. 109. -	The Salmon Fishery Act, 1861.
26 & 27 Vict. c. 10. -	The Salmon Acts Amendment Act, 1863.
28 & 29 Vict. c. 121. -	The Salmon Fishery Act, 1865.
33 & 34 Vict. c. 33. -	The Salmon Acts Amendment Act, 1870.
36 & 37 Vict. c. 71. -	The Salmon Fishery Act, 1873.
39 & 40 Vict. c. 19. -	The Salmon Fishery Act, 1876.
39 & 40 Vict. c. 34. -	The Elver Fishing Act, 1876.
40 & 41 Vict. c. 65. -	The Fisheries (Dynamite) Act, 1877.
41 & 42 Vict. c. 39. -	The Freshwater Fisheries Act, 1878.
42 & 43 Vict. c. 26. -	The Salmon Fishery Law Amendment Act, 1879.
47 & 48 Vict. c. 11. -	The Freshwater Fisheries Act, 1884.
49 & 50 Vict. c. 2. -	The Freshwater Fisheries Act, 1886.
49 & 50 Vict. c. 39. -	The Salmon and Freshwater Fisheries Act, 1886.
54 & 55 Vict. c. 37. -	The Fisheries Act, 1891, Parts III. and IV.
55 & 56 Vict. c. 50. -	The Salmon and Freshwater Fisheries Act, 1892.

2. Norfolk and Suffolk Fisheries.

40 & 41 Vict. c. xcviii.	The Norfolk and Suffolk Fisheries Act, 1877.
59 & 60 Vict. c. 18. -	The Fisheries (Norfolk and Suffolk) Act, 1896.

3. Sea Fisheries Regulation Acts.

51 & 52 Vict. c. 54. -	The Sea Fisheries Regulation Act, 1888.
54 & 55 Vict. c. 37. -	The Fisheries Act, 1891, Part II.
57 & 58 Vict. c. 26. -	The Sea Fisheries (Shell Fish) Regulation Act, 1894.

4. Oysters, &c.

29 & 30 Vict. c. cxlv. -	The Roach River Oyster Fishery Act, 1866.
31 & 32 Vict. c. 45. -	The Sea Fisheries Act, 1868, Part III.
32 & 33 Vict. c. 31. -	The Oyster and Mussel Fisheries Orders Confirmation Act, 1869 (No. 2).
38 & 39 Vict. c. 15. -	The Sea Fisheries Act, 1875.
40 & 41 Vict. c. 42. -	The Fisheries (Oyster, Crab and Lobster) Act, 1877.
47 & 48 Vict. c. 27. -	The Sea Fisheries Act, 1884.

5. Miscellaneous.

59 & 60 Vict. c. 48. -	Subsection one of section five of the Light Railways Act, 1896, so far as it relates to the industry of fishing.

CHAPTER 32.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March one thousand nine hundred and two and one thousand nine hundred and four, and to appropriate the Supplies granted in this Session of Parliament. [14th August 1903.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sums herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Grants out of Consolidated Fund.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and two, the sum of one hundred pounds. Issue of 100*l* out of the Consolidated Fund.

Issue of 75,392,969*l.* out of the Consolidated Fund.

2. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland and apply, towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, one thousand nine hundred and four the sum of seventy-five million three hundred and ninety-two thousand nine hundred and sixty-nine pounds.

Power for the Treasury to borrow.

3.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sums, any sum or sums not exceeding in the whole seventy-five million three hundred and ninety-three thousand and sixty-nine pounds.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March nineteen hundred and four, and section six of the Treasury Bills Act, 1877, (which relates to the renewal of bills) shall not apply with respect to those bills.

40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such fund is available.

Appropriation of Grants.

Appropriation of sums voted for supply services.

4. All sums granted by this Act and the other Act mentioned in Schedule (A.) annexed to this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty, amounting, as appears by the said schedule, in the aggregate, to the sum of one hundred and fifteen million nine hundred and ten thousand nine hundred and seventy-three pounds fifteen shillings and fivepence, are appropriated, and shall be deemed to have been appropriated as from the date of the passing of the Act mentioned in the said Schedule (A.), for the services and purposes expressed in Schedule (B.) annexed hereto.

The abstract of schedules and schedules annexed hereto, with the notes (if any) to such schedules, shall be deemed to be part of this Act in the same manner as if they had been contained in the body thereof.

In addition to the sums hereby granted out of the Consolidated Fund, there may be applied out of any money directed under section two of the Public Accounts and Charges Act, 1891, to be applied as appropriations in aid of the grants for the services and purposes specified in Schedule B. annexed hereto, the sums respectively set forth in the last column of the said schedule.

54 & 55 Vict. c. 24.

Treasury may, in certain cases of exigency, authorise expenditure

5. If a necessity arise for incurring expenditure not provided for in the sums appropriated to naval and military services by this Act, and which it may be detrimental to the public service to postpone until provision can be made for it by Parliament in the

usual course, the department entrusted with the control over the said service shall forthwith make application in writing to the Treasury for their authority to defray temporarily such expenditure out of any surpluses which may have been or which may be effected by the saving of expenditure upon votes within the same department, and in such application the department shall represent to the Treasury the circumstances which may render such additional expenditure necessary, and thereupon the Treasury may authorise the expenditure, unprovided for as aforesaid, to be temporarily defrayed out of any surpluses which may have been or which may be effected as aforesaid upon votes within the same department; and a statement showing all cases in which the naval and military departments have obtained the sanction of the Treasury to any expenditure not provided for in the respective votes aforesaid, accompanied by copies of the representations made to them by the said department, shall be laid before the House of Commons with the appropriation accounts of navy and army services for the year, in order that such proceedings may be submitted for the sanction of Parliament, and that provision may be made for the deficiencies upon the several votes for the said services, in such manner as Parliament may determine.

unprovided for; provided that the aggregate grants for the navy services and for the army services respectively be not exceeded.

The Treasury shall not authorise any expenditure which may cause an excess upon the aggregate sums appropriated by this Act for naval services and for army services respectively.

6. Whereas the Treasury, under the powers vested in them by the Appropriation Act, 1901, have authorised expenditure, not provided for in the sums appropriated by the said Act to certain votes for naval and military services for the year ended on the thirty-first day of March one thousand nine hundred and two, to be temporarily defrayed out of surpluses effected by the saving of expenditure on other votes for naval and military services for the said year, viz.,

Sanction for navy and army expenditure for 1901–1902 unprovided for. 1 Edw. 7. c. 21.

1st. A sum of one hundred and eighty-one thousand five hundred and ninety-four pounds eight shillings and sevenpence for navy services out of the unexpended balances of certain votes:

2nd. A sum of three million five hundred and eighteen thousand nine hundred and thirty-two pounds six shillings and elevenpence for army services out of the unexpended balances of certain votes, aided by sums realised in excess of the estimated Appropriations in Aid:

It is enacted that the application of the said sums is hereby sanctioned.

7. A person shall not receive any part of a grant which may be made in pursuance of this Act for half-pay or army, navy or civil non-effective services, until he has subscribed such declaration as may from time to time be prescribed by a warrant of the Treasury before one of the persons prescribed by such warrant.

Declaration required in certain cases before receipt of sums appropriated.

Provided that, whenever any such payment is made at more frequent intervals than once in a quarter, the Treasury may dispense with the production of more than one declaration in respect of each quarter.

Any person who makes a declaration for the purpose of this section, knowing the same to be untrue in any material particular, shall be guilty of a misdemeanor.

Short title.

8. This Act may be cited for all purposes as the Appropriation Act, 1903.

ABSTRACT

OF

SCHEDULES (A.) and (B.) to which this Act refers.

SCHEDULE (A.)

	£	s.	d.
Grants out of the Consolidated Fund - - - -	115,910,973	15	5

SCHEDULE (B.)—APPROPRIATION OF GRANTS.

	Sums not exceeding					
	Supply Grants.			Appropriations in Aid.		
1901–1902–1903.	£	s.	d.	£	s.	d.
Part 1. Civil Services Excesses, 1901-1902 - - -	77	15	5	—		
„ 2. Army Excesses, 1901–1902 -	100	0	0	1,872,831	7	9
„ 3. Army (Supplementary), 1902–1903 - - - - -	100	0	0	5,500,000	0	0
„ 4. Civil Services (Supplementary), 1902–1903 - -	1,520,527	0	0	−620	0	0*
	1,520,804	15	5	7,372,211	7	9
1903–1904.						
„ 5. Navy - - - - -	34,457,500	0	0	1,379,341	0	0
„ 6. Army - - -	34,245,000	0	0	3,374,489	0	0
„ 6. Army (Ordnance Factories) -	255,000	0	0	3,900,000	0	0
„ 7. Civil Services, Class I. - -	2,557,712	0	0	83,791	0	0
„ 8. Ditto, Class II. -	2,599,692	0	0	590,452	0	0
„ 9. Ditto, Class III. -	3,939,579	0	0	739,236	0	0
„ 10. Ditto, Class IV. -	14,576,824	0	0	30,400	0	0
„ 11. Ditto, Class V. -	2,223,998	0	0	191,957	0	0
„ 12. Ditto, Class VI. -	693,521	0	0	147	0	0
„ 13. Ditto, Class VII. -	324,123	0	0	6,520	0	0
TOTAL CIVIL SERVICES - -	26,915,449	0	0	1,647,503	0	0
„ 14. Revenue Departments, &c. -	18,517,220	0	0	471,582	0	0
GRAND TOTAL - -	115,910,973	15	5	18,145,126	7	9

* Deficit.

SCHEDULE (A.)

SCHED. (A.)

GRANT OUT OF THE CONSOLIDATED FUND.

	£ s. d.
For the service of the years ended on the 31st March 1902 and 1903:—	
Under Act 3 Edw. 7. c. 3. - - - - -	1,520,704 15 5
Under this Act - - - - - -	100 0 0
For the service of the year ending on 31st March 1904:—	
Under Act 3 Edw. 7. c. 3. - - - - -	38,997,200 0 0
Under this Act - - - - -	75,392,969 0 0
TOTAL - - - -	£115,910,973 15 5

SCHEDULE (B.)—PART 1.

SCHED. (B.) PART 1.

CIVIL SERVICES EXCESS, 1901–1902.

Civil Services Excess.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£ s. d.	£ s. d.
SUM granted to make good an excess on the Grant for the National Gallery of Ireland, for the year ended on the 31st day of March 1902 - - - - - -	77 15 5	—

SCHEDULE (B.)—PART 2.

SCHED. (B.) PART 2.

ARMY EXCESSES, 1901–1902.

Army Excesses, 1901–1902.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£ s. d.
SUM granted to make good excesses of Army Expenditure beyond the grants for the year ended on the 31st March 1902 - -	100	1,872,831 7 9

SCHED. (B.) PART 3. Army Supplementary, 1902–1903.

SCHEDULE (B.)—PART 3.

ARMY SUPPLEMENTARY, 1902–1903.

SUM granted to meet expenditure in excess of that provided for in the original Estimates for the year ended on the 31st day of March 1903; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
For the pay, &c. of the Army - - -	100	5,500,000

SCHED. (B.) PART 4. Civil Services (Supplementary), 1902–1903.

SCHEDULE (B.)—PART 4.

CIVIL SERVICES (SUPPLEMENTARY), 1902–1903.

SCHEDULE of SUPPLEMENTARY SUMS granted to defray the charges for the Services herein particularly mentioned for the year ended on the 31st day of March 1903; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES.	£	£
CLASS I.		
For expenditure in respect of Royal Palaces and Marlborough House - - - - -	7,500	—
CLASS II.		
For the salaries and expenses of the Department of His Majesty's Secretary of State for the Colonies - - - - - -	3,700	—
For the salaries and expenses of certain Services transferred from the Mercantile Marine Fund and other Services connected with the Mercantile Marine - - - - - - -	2,000	—
For the salaries and expenses of the General Valuation and Boundary Survey of Ireland -	620	—620*
CLASS III.		
For the expenses of the prisons in England and Wales - - - - - - -	20,300	—

* Deficit.

SCHED. (B.) PART 4. Civil Services (Supplementary), 1902–1903.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CLASS IV.	£	£
For the salaries and expenses of the Board of Education - - - - - - -	292,807	—
For the expenses of the Commissioners of National Education in Ireland - - - - -	28,000	—
CLASS V.		
For expenses in connection with His Majesty's Embassies, Missions and Consular Establishments abroad, and other expenditure chargeable on the Consular Vote - - - - -	10,000	—
For the grants in aid of the British Protectorate in East Africa - - - - - -	69,600	—
For Sundry Colonial Services, including a grant in aid - - - - - - -	1,016,000	—
CLASS VII.		
For repaying to the India Office the expenses of the entertainment in this country of Indian representative visitors at the Coronation of His Majesty - - - - - -	70,000	—
TOTAL - - -	1,520,527	—620*

* Deficit.

SCHEDULE (B.)—PART 5.

SCHED. (B.) PART 5. Navy.

NAVY.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the NAVY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1904; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For wages, &c. to 127,100 officers, seamen and boys, coastguard and Royal marines - -	6,312,800	133,028
2. For the expense of victualling and clothing for the navy, including the cost of victualling establishments at home and abroad - -	2,292,500	512,740

SCHED. (B.) PART 5. Navy.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
3.	For medical services, including the cost of medical establishments at home and abroad	259,000	21,942
4.	For martial law, including the cost of naval prisons at home and abroad	15,500	198
5.	For educational services	116,100	36,216
6.	For scientific services	69,400	20,184
7.	For the expenses of the royal naval reserve, the royal fleet reserve (including seamen pensioner reserve) and the reserve retired officers	297,500	8,181
8.	Sect. 1. For the expense of the personnel for shipbuilding, repairs, maintenance, &c., including the cost of establishments of dockyards and naval yards at home and abroad	2,991,800	21,600
	,, Sect. 2. For the expense of the matériel for shipbuilding, repairs, maintenance, &c., including the cost of establishments of dockyards and naval yards at home and abroad	4,786,700	317,100
	,, Sect. 3. For the expense of contract work for shipbuilding, repairs, &c.	9,571,500	132,000
9.	For naval armaments	3,206,100	94,864
10.	For works, buildings and repairs at home and abroad, including the cost of superintendence, purchase of sites, grants in aid and other charges connected therewith	1,502,000	25,000
11.	For various miscellaneous effective services	409,500	14,138
12.	For the expenses of the Admiralty Office	306,400	9,000
13.	For half-pay, reserved and retired pay to officers of the navy and marines	784,300	12,894
14.	For naval and marine pensions, gratuities and compassionate allowances	1,186,300	19,789
15.	For civil pensions and gratuities	350,100	467
	TOTAL NAVY SERVICES £	34,457,500	1,379,341

SCHEDULE (B.)—PART 6.

SCHED. (B.) PART 6. Army.

ARMY.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the ARMY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1904; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the pay, allowances and other charges of His Majesty's Army at home and abroad (exclusive of India), and of the general staff, regiments and reserve (to a number not exceeding 235,761), and departments - -	9,647,000	1,045,000
2.	For the pay, &c. of medical establishments and for medicines - - - - -	530,000	2,000
3.	For the pay, bounty, &c. of the militia (to a number not exceeding 183,381, including 50,000 militia reserve) - - -	907,000	12,000
4.	For the pay and allowances of the Imperial yeomanry in Great Britain - - -	480,000	500
5.	For capitation grants and miscellaneous charges of volunteer corps, including pay, &c. of the permanent staff - - -	1,280,000	2,000
6.	For the expense of transport and remounts -	1,838,000	77,000
7.	For provisions, forage and other supplies, and for South African compensation claims -	6,895,000	76,800
8.	For clothing establishments and services - -	1,822,000	402,500
9.	For the supply and repair of warlike and other stores - - - - -	4,820,000	650,000
10.	For the staff for engineer services and charges for Royal Engineer works, buildings and repairs at home and abroad (including purchases) - - - - -	1,920,000	137,800
11.	For establishments for military education -	134,500	73,200
12.	For miscellaneous effective services - -	62,000	8,400
13.	For the salaries and miscellaneous charges of the War Office - - - -	331,500	250
14.	For retired pay, half-pay and other non-effective charges for officers and others -	1,638,000	406,941
15.	For Chelsea and Kilmainham hospitals and the in-pensioners thereof, for out-pensions, for the maintenance of lunatics for whom pensions are not drawn and for gratuities awarded in commutation and in lieu of pensions, for rewards for meritorious services, for Victoria Cross pensions and for pensions, &c. to the widows and children of warrant officers, non-commissioned officers and men, &c. -	1,745,000	480,030
16.	For Civil superannuation, compensation and compassionate allowances and gratuities -	195,000	63
	TOTAL ARMY SERVICES - £	34,245,000	3,374,489

SCHED. (B.) PART 6. Army.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
ARMY (ORDNANCE FACTORIES).		
For the expense of the ordnance factories, the cost of productions of which is charged to the army, navy and Indian and Colonial Governments -	255,000	3,900,000
TOTAL ARMY SERVICES (INCLUDING ORDNANCE FACTORIES) - - - - - £	34,500,000	7,274,489

SCHED. (B.) PART 7. Civil Services. Class I.

SCHEDULE (B.)—PART 7.

CIVIL SERVICES.—CLASS I.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1904; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For expenditure in respect of royal palaces -	80,600	1,590
2. For the royal parks and pleasure gardens -	101,400	6,180
3. For expenditure in respect of the Houses of Parliament buildings - - - -	43,700	350
4. For expenditure in respect of miscellaneous legal buildings, Great Britain - -	66,120	650
5. For expenditure in respect of Art and Science buildings, Great Britain - - -	50,150	75
6. For expenditure in respect of diplomatic and consular buildings, and for the maintenance of certain cemeteries abroad - -	55,500	600
7. For the Customs, Inland Revenue, Post Office and Post Office Telegraph buildings in Great Britain, and certain Post Offices abroad, including furniture, fuel and sundry miscellaneous services - - -	564,000	3,140
8. For expenditure in respect of sundry public buildings in Great Britain not provided for on other votes - - - -	447,000	15,756
9. For the survey of the United Kingdom, and for minor services connected therewith - -	209,019	28,400
10. For maintaining certain harbours under the Board of Trade and for grants in aid of harbours - - - - - -	21,204	2,600

Sched. (B.) Part 7. Civil Services. Class I.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
11. For constructing a new harbour of refuge at Peterhead - - - - -	23,980	—
12. For rates and contributions in lieu of rates, &c., in respect of Government property, and for rates on houses occupied by Representatives of Foreign Powers, and for salaries and expenses of the rating of Government property department, and for a contribution towards the expense of the Metropolitan Fire Brigade - - - - -	571,697	23,150
13. For the erection, repairs and maintenance of public buildings in Ireland, for the maintenance of certain parks and public works, and for the maintenance of drainage works on the River Shannon - - -	216,128	6,300
14. For payments under the Tramways and Public Companies (Ireland) Act, 1883, the Light Railways (Ireland) Acts, 1889 and 1893, the Tramways (Ireland) Act, 1895, the Railways (Ireland) Act, 1896, and the Marine Works (Ireland) Act, 1902 - - -	107,214	—
Total Civil Services, Class I. - £	2,557,712	88,791

SCHEDULE (B.)—Part 8.

Sched. (B.) Part 8. Civil Services. Class II.

CIVIL SERVICES.—Class II.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1903; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For salaries and expenses of the offices of the House of Lords - - - - -	6,507	35,000
2. For salaries and expenses in the offices of the House of Commons - - - -	28,820	31,000
3. For salaries and other expenses of the department of His Majesty's Treasury and subordinate departments, including expenses in respect of advances under the Light Railways Act, 1896 - - - - -	92,264	4,100

SCHED. (B.) PART 8. Civil Services. Class II.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
4.	For salaries and expenses of the office of His Majesty's Secretary of State for the Home Department and subordinate offices	156,499	9,000
5.	For salaries and expenses of the department of His Majesty's Secretary of State for Foreign Affairs	64,887	600
6.	For salaries and expenses of the department of His Majesty's Secretary of State for the Colonies, including a grant in aid of certain expenses connected with Emigration	51,500	—
7.	For salaries and expenses of the department of His Majesty's Most Honourable Privy Council	10,130	1,505
8.	For salaries and expenses of the office of the Committee of Privy Council for Trade and subordinate departments, including a grant in aid	214,395	9,935
9.	For the salaries and expenses of certain services transferred from the Mercantile Marine Fund and other services connected with the Mercantile Marine	98,860	53,850
10.	For meeting the deficiency of income from fees, &c. for the requirements of the Board of Trade, under the Bankruptcy Acts, 1883 and 1890, and the Companies (Winding-up) Act, 1890	12	132,415
11.	For the salaries and expenses of the Board of Agriculture and of Kew Botanic and Pleasure Gardens, including certain grants in aid	113,288	23,432
12.	For salaries and expenses of the Charity Commission for England and Wales	30,312	—
13.	For salaries and expenses of the Civil Service Commission	43,393	—
14.	For salaries and expenses of the department of the Comptroller and Auditor General	63,321	2,517
15.	For salaries and expenses of the Registry of Friendly Societies	7,581	—
16.	For salaries and expenses of the Local Government Board	221,907	5,200
17.	For salaries and expenses of the office of the Commissioners in Lunacy in England	15,061	1,112
18.	For salaries and expenses of the Mint, including the expenses of the coinage	21	118,700
19.	For salaries and expenses of the National Debt Office	13,493	2,552
20.	For salaries and expenses of the Public Record Office and of the Office of Land Revenue Records and Inrolments	24,158	—
21.	For salaries and expenses of the establishment under the Public Works Loan Commissioners	18	10,680
22.	For salaries and expenses of the department of the Registrar General of Births, &c. in England	41,942	8,400

SCHED. (B.) PART 8. Civil Services. Class II.

No.		Sums not exceeding: Supply Grants. £	Sums not exceeding: Appropriations in Aid. £
23.	For stationery, printing, paper, binding and printed books for the public service, and for the salaries and expenses of the Stationery Office, and for sundry miscellaneous services, including the reports of Parliamentary Debates	701,333	110,910
24.	For salaries and expenses of the office of His Majesty's Woods, Forests and Land Revenues	21,869	—
25.	For salaries and expenses of the office of the Commissioners of His Majesty's Works and Public Buildings	67,200	—
26.	For His Majesty's foreign and other secret services	65,000	—
27.	For salaries and expenses of the office of His Majesty's Secretary for Scotland and subordinate office, expenses under the Inebriates Acts, 1879 to 1900, and expenses under the Private Legislation Procedure (Scotland) Act, 1899, including a grant in aid of the Congested Districts (Scotland) Fund	34,985	2,730
28.	For salaries and expenses of the Fishery Board for Scotland, and for grants in aid of piers or quays	18,837	—
29.	For salaries and expenses of the Board of Lunacy in Scotland	6,162	525
30.	For salaries and expenses of the department of the Registrar General of Births, &c. in Scotland	8,145	750
31.	For salaries and expenses of the Local Government Board for Scotland	15,157	—
32.	For salaries and expenses of the household of the Lord Lieutenant of Ireland	4,817	—
33.	For salaries and expenses of the offices of the Chief Secretary to the Lord Lieutenant of Ireland, in Dublin and London, and of the Inspectors of Lunatic Asylums	26,314	256
34.	For salaries and expenses of the department of agriculture and other industries and technical instruction for Ireland, and of the services administered by that department, including sundry grants in aid (including a supplementary sum of 10,000*l.*)	191,499	1,225
35.	For salaries and expenses of the office of the Commissioners of Charitable Donations and Bequests for Ireland	1,997	38
36.	For salaries and expenses of the Local Government Board in Ireland	62,690	11,500
37.	For salaries and expenses of the Public Record Office in Ireland and of the Keeper of the State Papers in Dublin	5,848	—
38.	For salaries and expenses of the Office of Public Works in Ireland	38,053	2,500

SCHED. (B.) PART 8. Civil Services. Class II.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
39. For salaries and expenses of the department of the Registrar General of Births, &c., and for expenses of collecting emigration statistics in Ireland - - - - -	12,894	720
40. For salaries and expenses of the general valuation and boundary survey of Ireland - -	19,023	9,300
TOTAL CIVIL SERVICES, CLASS II. - £	2,599,692	590,452

SCHED. (B.) PART 9. Civil Services. Class III.

SCHEDULE (B.)—PART 9.

CIVIL SERVICES.—CLASS III.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1904; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For the salaries of the law officers department, the salaries and expenses of the department of the Solicitor for the affairs of His Majesty's Treasury, King's Proctor and Director of Public Prosecutions, the costs of prosecutions and of other legal proceedings and of Parliamentary Agency - - -	73,984	13,850
2. For certain miscellaneous legal expenses, including grants in aid of the expenses of the Incorporated Law Societies of England and Ireland - - - - -	49,489	12,731
3. For such of the salaries and expenses of the Supreme Court of Judicature as are not charged on the Consolidated Fund - -	320,118	54,900
4. For salaries and expenses of the office of land registry - - - - -	48,144	—
5. For salaries and expenses connected with the County Courts - - - -	33,000	460,531
6. For the salaries of the Commissioner and Assistant Commissioners of the Metropolitan Police and of the Receiver for the Metropolitan Police District, the pay and expenses of officers of Metropolitan Police, employed on special duties, and the salaries and expenses of the Inspectors of Constabulary -	44,390	35

SCHED. (B.) PART 9. Civil Services. Class III.

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
7.	For the expenses of the prisons in England, Wales and the Colonies	715,897	14,000
8.	For the salaries and expenses of the office of the Inspector of Reformatories, and the expenses of the maintenance of juvenile offenders in reformatory, industrial and day industrial schools and under the Youthful Offenders Act in Great Britain	256,635	29,000
9.	For the maintenance of criminal lunatics in Broadmoor Criminal Lunatic Asylum	35,521	1,065
10.	For salaries and expenses of the Lord Advocate's department and other law charges, and the salaries and expenses of the Courts of Law and Justice in Scotland	82,405	45,500
11.	For salaries and expenses of the offices in His Majesty's General Register House, Edinburgh	42,053	—
12.	For the salaries and expenses of the Establishment of the Crofters' Commission	4,790	—
13.	For the salaries and expenses of the Prison Commissioners for Scotland and of the prisons under their control, including the maintenance of criminal lunatics and inmates of the State inebriate reformatory, and the preparation of judicial statistics	90,840	4,900
14.	For the expenses of criminal prosecutions and other law charges in Ireland	68,600	610
15.	For such of the salaries and expenses of the Supreme Court of Judicature and of certain other legal departments in Ireland as are not charged on the Consolidated Fund	102,805	2,450
16.	For the salaries and expenses of the office of the Irish Land Commission	131,740	12,714
17.	For the salaries, allowances and expenses of various county court officers and of magistrates in Ireland, and the expenses of revision	112,527	4,520
18.	For salaries and expenses of the Commissioner of Police, the police courts and metropolitan police establishment of Dublin	100,468	51,470
19.	For the expenses of the Royal Irish Constabulary	1,392,002	26,560
20.	For the expenses of the General Prisons Board in Ireland and of the establishments under their control; and of the registration of habitual criminals and the maintenance of criminal lunatics confined in district lunatic asylums	118,508	3,000
21.	For the expenses of reformatory and industrial schools and under the Youthful Offenders Act, 1901, in Ireland	109,099	1,400
22.	For the maintenance of criminal lunatics in Dundrum Criminal Lunatic Asylum, Ireland	6,564	—
	TOTAL CIVIL SERVICES, CLASS III. - £	3,939,579	739,236

SCHED. PART Civil Services. CLASS IV.

SCHEDULE (B.)—PART 10.

CIVIL SERVICES.—CLASS IV.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1904; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries and expenses of the Board of Education and of the various establishments connected therewith, including sundry grants in aid - - - - -	11,249,806	8,800
2.	For salaries and other expenses of the British Museum and of the Natural History Museum, including certain grants in aid - -	168,619	11,500
3.	For salaries and expenses of the National Gallery and of the National Gallery of British Art, Millbank, including a grant in aid for the purchase of pictures - -	17,027	1,600
4.	For salaries and expenses of the National Portrait Gallery, including a grant in aid for the purchase of portraits - - -	5,445	—
5.	For the salaries and expenses of the Wallace Collection (Hertford House) - - -	7,281	750
6.	For sundry grants in aid of scientific investigation, &c. and other grants (including a supplementary sum of 45,000*l.*) - - -	90,780	—
7.	For grants in aid of the expenses of certain Universities and Colleges in Great Britain and expenses under the Welsh Intermediate Education Act, 1889 - - - -	119,100	—
8.	For public education in Scotland and for Science and Art in Scotland, including a grant in aid - - - - -	1,558,828	—
9.	For a grant to the Board of Trustees for manufactures in Scotland, in aid of the maintenance of the National Gallery, School of Art and Museum of Antiquities, Scotland, &c.	3,400	—
10.	For the expenses of the Commissioners of National Education in Ireland, including a grant in aid of the Teachers Pension Fund, Ireland - - - - - -	1,347,101	2,250
11.	For the expenses of the Office of the Commissioners for managing certain school endowments in Ireland - - -	930	—
12.	For salaries and expenses of the National Gallery of Ireland, including a grant in aid for the purchase of pictures - - -	3,707	—
13.	For a grant in aid of the expenses of the Queen's Colleges in Ireland - - - -	4,800	5,500
	TOTAL CIVIL SERVICES, CLASS IV. - - £	14,576,824	30,400

SCHEDULE (B.)—PART 11.

Sched. Part 11. Civil Services. Class V.

CIVIL SERVICES.—CLASS V.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1904; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
1.	For the expenses in connection with His Majesty's embassies and missions and consular establishments abroad, and other expenditure chargeable to the Consular Vote -	£ 534,780	£ 89,582
2.	For grants in aid of the expenses of the British Protectorates in Uganda, Central and East Africa and in Somaliland, and under the Uganda Railway Acts, 1896, 1900, and 1902 -	765,593	—
3.	For sundry colonial services, including certain grants in aid - - - - -	661,525	—
4.	For a grant in aid of the revenue of the Island of Cyprus - - - - -	87,000	—
5.	For the subsidies to certain Telegraph Companies and a grant in aid of the annual expenses of the Pacific Cable - -	72,100	102,375
6.	For making good the net loss on transactions connected with the raising of money for the various Treasury Chests abroad in the year 1902-3 - - - - - -	103,000	—
		2,223,998	191,957

SCHEDULE (B.)—PART 12.

Sched. Part 12. Civil Services. Class VI.

CIVIL SERVICES.—CLASS VI.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1904; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
1.	For superannuation, compensation and compassionate allowances and gratuities under sundry Statutes, for compassionate allowances and gratuities awarded by the Treasury and for the salaries of medical referees (including a supplementary sum of 4,000*l.*) - - - - -	£ 622,914	£ —

SCHED. (B.) PART 12. Civil Services. Class VI.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
2. For certain pensions to masters and seamen of the merchant service, and to widows and children of masters and seamen - -	3,000	—
3. For certain miscellaneous, charitable and other allowances - - - -	1,646	—
4. For hospitals and infirmaries and certain miscellaneous, charitable and other allowances in Ireland, including sundry grants in aid -	17,342	147
5. For making good deficiencies on the income accounts of the funds for trustee savings banks and friendly societies - - -	48,619	—
TOTAL CIVIL SERVICES, CLASS VI. - £	693,521	147

SCHED. (B.) PART 13. Civil Services. Class VII.

SCHEDULE (B.)—PART 13.

CIVIL SERVICES.—CLASS VII.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1904; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For salaries and other expenses of temporary commissions, committees and special inquiries - - - - -	2,000	—
2. For certain miscellaneous expenses - -	30,348	6,520
3. For making good certain sums written off from the assets of the Local Loans Fund - -	19,359	—
4. For a grant in aid of the expenses of the Royal Commission for the St. Louis Exhibition, 1904 (including a supplementary sum of 50,000*l.*) - - - - -	80,000	—
5. For repayments to the Civil Contingencies Fund of certain miscellaneous advances - -	11,082	—
6. For a grant in aid of expenses incurred in connection with the visit of the President of the French Republic to England in July 1903 -	8,000	—
7. For the Ireland Development Grant (Grant in aid) - - - - -	123,334	—
TOTAL CIVIL SERVICES, CLASS VII. - £	324,123	6,520

SCHEDULE (B.)—PART 14.

SCHED. (B.) PART 14. Revenue Departments, &c.

REVENUE DEPARTMENTS, &c.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several REVENUE DEPARTMENTS, &c. herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1904; viz.:—

No.		Sums not exceeding: Supply Grants.	Sums not exceeding: Appropriations in Aid.
		£	£
1.	For salaries and expenses of the Customs Department - - - - -	913,000	52,500
2.	For salaries and expenses of the Inland Revenue Department - - - - -	2,200,500	16,000
3.	For salaries and expenses of the Post Office services, the expenses of Post Office savings banks and Government annuities and insurances and the collection of the Post Office revenue - - - - -	10,067,500	148,300
4.	For the expenses of the Post Office packet service	786,790	191,642
5.	For salaries and working expenses of the Post Office telegraph service - - -	4,549,430	63,140
	TOTAL REVENUE DEPARTMENTS - £	18,517,220	471,582

CHAPTER 33.

An Act to amend the Law relating to the Administration of Burghs in Scotland. [14th August 1903.]

WHEREAS it is expedient to amend the law relating to the administration of burghs in Scotland:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PRELIMINARY.

Short title. **1.** This Act may be cited as the Burgh Police (Scotland) Act, 1903.

Application. **2.** This Act shall apply to Scotland only.

Construction. 55 & 56 Vict. c. 55. **3.** This Act shall be read and construed as one Act with the Burgh Police (Scotland) Act, 1892 (herein-after called the principal Act), so far as consistent with the tenor of this Act and the principal Act respectively, and this Act and the principal Act, the

56 & 57 Vict. c. 25. 1 Edw. 7. c. 24.

Burgh Police (Scotland) Act, 1893, and the Burgh Sewerage, Drainage and Water Supply (Scotland) Act, 1901, may be cited as the Burgh Police (Scotland) Acts, 1892 to 1903.

Division into Parts.

4. This Act is divided into Parts as follows:—

Part I.—(General.)
Part II.—(Adoptive.)
Part III.—(Miscellaneous and Supplemental.)

PART I.—(GENERAL.)

REGISTER OF STREETS.

Register and plan of streets.

5. The town council of every burgh shall, on or before the first day of October in the year nineteen hundred and four or as soon as conveniently may be thereafter, cause a register to be prepared of all the streets then in existence in the burgh, in which shall be entered the following particulars with regard to each street, namely:—

(1) The name:
(2) The situation by reference to numbers or other marks on the plan after mentioned:
(3) The point of commencement and termination:
(4) The width of the street and the position of the centre line:
(5) The character, whether an ordinary street, a highway under the Roads and Bridges (Scotland) Act, 1878, a lane or a court, and whether public or private or of any other character or description:
(6) Any other particulars not affecting rights of property which the town council may prescribe.

41 & 42 Vict. c. 51.

The town council shall further, on or before the date of completion of the register, cause the said streets and the centre line thereof to be marked and the area thereof coloured, upon an Ordnance Survey plan of the largest available scale or on a plan of any greater scale prescribed by them. In fixing the centre line regard may be had to the street as originally laid out and apart from subsequent alterations of the building lines.

Notice of completion of register and plan.

6. The said register and plan shall on completion be placed in the office of the town clerk or other public office of the town council, where they shall remain open for inspection at all reasonable hours by all persons interested for a period of three months from the date of the first insertion of the notice herein-after mentioned. The town council shall insert a notice, at least once a week, for three successive weeks, in one or more newspapers circulating in the burgh, intimating the completion of the register and plan and the time and place where the same may be inspected, and further intimating that any person who may be dissatisfied with any entry or marking therein or omission therefrom or with any alteration made therein by the town council upon a representation in terms of the immediately succeeding section, may, within the said period of three months, appeal to the sheriff or Court of Session, and that the said register and plan shall be deemed at the

expiry of such three months to fix conclusively the particulars referred to in the immediately preceding section (which section shall be recited at length in the notice) with regard to every street in the burgh, unless in so far as the same may be altered on appeal or otherwise under this Act. The town council shall further, within fourteen days from the date of the first insertion of the foresaid notice, cause a copy thereof to be sent by post to every owner of lands and heritages in the burgh, appearing in the valuation roll at his address as given therein.

Appeal against entries in register and plan.

7. Any person who may be aggrieved by any entry, marking or omission in the said register or plan or by any alteration made therein by the town council, upon a representation in terms of this section, may, within the said period of three months, appeal to the sheriff or to the Court of Session against the same, and the appeal court shall deal with such appeal in the manner provided by the three hundred and thirty-ninth section of the principal Act, and may, after such notice as the court may consider necessary, order any entry or marking in the said register or plan to be deleted or altered, or direct such other or further entry or marking to be made therein as the court shall think fit: Provided that, where the appeal is taken to the sheriff, either party may, within fourteen days from the date of his decision, appeal thereagainst to the Court of Session, whose decision shall be final. Where any appeal is taken or where, within the said period of three months, any representation is made to the town council with regard to any entry, marking or omission, they may make any alteration on the said register or plan which may appear to them necessary in consequence thereof.

Register and plan to be conclusive evidence.

8. The said register and plan, with any alteration or addition that may be made on appeal or representation, as aforesaid, or that may thereafter be made by virtue of this Act, shall be docqueted by the town clerk and shall, unless in so far as altered as after mentioned and subject to any right to compensation under the Burgh Police Acts, conclusively fix the character, area, centre line and other particulars, prescribed as aforesaid, of the streets therein entered. The said register and plan shall be deposited with such official as the town council may from time to time appoint, and the same or a copy thereof, docqueted as aforesaid, shall be open for inspection by any person interested, during such hours and on payment of such fee not exceeding one shilling for each inspection as the town council may from time to time fix. A copy, certified by the custodier, of any entry in the register or of any portion of the plan shall be furnished to any applicant, on payment of such fee as the town council may prescribe, and shall be received as evidence in all courts.

Alterations on register and plan.

9. In the event of any street being extended or wholly or partially closed up, or of its area being otherwise altered, or of its name being changed, or of any new street being authorised or laid out, or of any private street, lane or court being taken over as public, or of the character of any street being otherwise altered, or other change of circumstances occurring, or in the event of any error or omission being discovered, or in the event of the omission

to send notice to any owner interested, the burgh surveyor shall, and any other person having interest may, make application to the dean of guild court or, where there is no such court, to the town council, for warrant to make such alterations on or additions to the said register and plan as may be necessary in the circumstances, and the town council or dean of guild court, as the case may be, may, after such advertisement or other intimation to parties interested as they may deem proper, direct such alterations or additions to be made as they may consider just, and the same shall be made accordingly, provided that any deliverance of the town council shall be subject to appeal as before mentioned, and any deliverance of the dean of guild court shall be subject to the same appeal as is applicable to the ordinary judgments thereof. The town council may, if they see fit, by special order as defined in the principal Act, resolve that applications under this section shall be made to them and not to the dean of guild court.

Mistakes, not to affect validity.

10. The validity of the said register and plan shall not be affected by any misnomer, mistake or informality in the foresaid proceedings, or by the omission to send the foresaid notices to any owner.

OTHER PROVISIONS AS TO STREETS.

Petition for warrant to form new streets.

11. Every person who intends to form or lay out any new street, or to widen, extend or otherwise alter any street, shall present a petition for warrant to do so to the town council, and along with the same he shall lodge a plan of the street as proposed to be laid out or altered, with longitudinal and cross sections, showing the proposed centre, building and kerb lines, and also the inner lines of the footway where these differ from the building lines, showing also the levels and means of drainage, specifying the proposed material and mode of construction, and having marked upon it the names of all persons owning the street or any ground abutting thereon affected by the proposal and appearing in the valuation roll. A copy of said petition shall be served by the petitioner upon all such owners and also upon the burgh surveyor, and the town council shall within fourteen days from the presentation of the petition afford the petitioner and all other parties interested an opportunity of being heard, and shall dispose of the application as soon as possible thereafter. If it shall appear to the town council that the proposed street, or any portion thereof, or any of the details shown on the said plan, does not fulfil the conditions required by the Burgh Police Acts, or is otherwise contrary to law or to private rights, the town council may either refuse the said petition or grant the same, subject to such alterations and modifications on the plans or other lawful conditions as may be necessary in the circumstances. The dean of guild court shall not grant warrant for the erection of any buildings abutting on any new street, until warrant for the formation of such street has been granted. The plans approved of by the town council shall, except in so far as they may afterwards be altered in terms of this section by the authority of the town council, be adhered to by the applicant and by every person erecting any building abutting on the street.

In the event of no part of any new street, for which a warrant has been obtained, being formed or laid out within twelve months from the date of the warrant, the warrant shall lapse, and it shall be necessary, before the street is formed or laid out, to obtain a fresh warrant.

Council may make certain conditions.

12. Any person presenting a petition to the town council for warrant to form or lay out any new street shall fulfil any conditions which the town council may, by the warrant granting the petition, impose with regard to the following matters, viz.:—

(1) The avoidance of a cul de sac:

(2) The provision of suitable and convenient accesses to the street by cross streets, continuation of streets or otherwise:

(3) The formation of lanes (parallel to the street or otherwise) or other secondary means of access to buildings where necessary for the purpose of removing refuse:

(4) The fixing of the line, level, position and direction of the street and footways so as to make provision for the amenity of the locality, for convenient communication with other streets, for gradients suitable for traffic, for the convenient drainage of the streets and footways and of buildings fronting the same and for areas for light and ventilation: and

(5) Provision for carrying off the surface water.

Powers as to streets may be transferred to dean of guild court.

13. In burghs where there is a dean of guild court the town council may, by a majority of not less than two-thirds of those members present at a meeting specially called for the purpose, pass a resolution that in future the powers and duties of the town council, under the two immediately preceding sections, shall be transferred to the dean of guild court, and, on the passing of such resolution, the said powers and duties shall be transferred accordingly; but the town council shall at all times be entitled to appear before the said court for the public interest.

Shrubbery in centre of street.

14. The town council may plant or authorise the planting of trees or shrubs in any street, and, provided a sufficient free space at each side be left open and available for the carriageways and foot-pavements, may lay out or authorise the laying out of the centre portion of any street in shrubbery or pleasure ground, or may provide island platforms for pedestrians.

Owners to fence.

15. The owners of ground fronting or abutting upon any street shall, if called upon by the town council, cause such ground to be enclosed by a sufficient temporary fence.

Footways of private streets.

16. The owner of any lands or premises fronting on any private street shall, when required by the town council, form a footway before his property, of the breadth sanctioned by the dean of guild court or town council at the time when the street was sanctioned, or, if no such breadth has been specified, of such breadth as the town council shall direct, with kerbs, water channels and drains for carrying off surface water, and shall well and sufficiently construct and (if required) pave such footway, or any footway that may already exist, and construct such kerbs, water channels and drains, all with such material and in such manner and form as the town council may direct. The said owner shall further from time

to time maintain and keep in repair the said footway, kerbs, water channels and drains, or, if called upon, re-lay the same, all with such material and in such manner and form as the town council may direct. Provided that, if the town council require the footway or any part thereof to be paved, they shall relieve the owner of the future maintenance of such pavement. The town council may, instead of requiring the said footway to be at once paved, require the same, or such part thereof as they may specify, to be provided with kerbs, water channels and drains and laid with gravel, cinders or other similar material, and may from time to time require such material to be renewed, and may at any time thereafter require the portions so laid to be paved or laid with any other material. The obligation hereby imposed upon the said owner shall cease upon the street ceasing to be a private street; but the town council shall, notwithstanding anything done under this section, be thereafter entitled (except in the case where and to the extent to which they have required the footway to be paved as aforesaid) to put in force the provisions of sections one hundred and forty-one and one hundred and forty-two of the principal Act, or any other powers possessed by them with reference to the footways of public streets.

Footways.

17.—(1) The town council may exercise the power conferred upon them by section one hundred and forty-two of the principal Act, either with regard to all the footways of public streets in the burgh or from time to time with regard to any portion or portions thereof. The six weeks mentioned in said section shall run from the date of the notice from the town council calling upon the owners interested to have their footways put in a proper state of repair; and, where in any case, in the opinion of the town council, it is not expedient to have any footway put into such state of repair immediately after passing a resolution under the foresaid section applicable to it, they may defer issuing such notice until they consider it expedient to do so.

(2) In any case where the town council may be entitled to require the construction or repair by abutting owners of footways on any street, they shall be entitled to call upon such owners to lay down paved crossings with kerbstones and water channels, to the satisfaction of the town council, across all entries used by carriages which cross the line of said footways, and each such crossing shall be maintained by the owner or owners to whose premises it forms an access, and that (where there are two or more owners) in such proportions as the town council may fix.

(3) In cases where it is desired to take carriages across a footway maintainable by the town council into the premises of any abutting owner, the town council may require the formation and maintenance by such owner of a crossing of the description above specified, or may require such owner to maintain the portion of the footway used by such carriages to their satisfaction.

(4) Where any footway maintainable by the town council is injured by the rolling or setting down thereon of casks, boxes or other heavy articles or material by or with the authority of any owner or occupier of premises abutting thereon, or where damage

is otherwise caused to any such footway by the use thereof by or with the authority of any such owner or occupier otherwise than for ordinary foot traffic, such owner or occupier shall be liable to the town council in the expense of repairing all damage so caused, and the same may be recovered as private improvement expenses.

(5) The town council may, instead of requiring the footway of any public street to be paved under section one hundred and forty one of the principal Act, require the fronting or abutting owners to provide the same or such part thereof as the town council may specify, with kerbs, water channels and drains, and to lay the same or such part with gravel, cinders or other similar material, and may from time to time require the said owners to renew such material or to relay it with any other similar material, all in such manner and form as the town council may direct. The town council shall, notwithstanding anything done under this subsection, be entitled at any time thereafter to put in force with regard to such footway the provisions of sections one hundred and forty-one and one hundred and forty-two of the principal Act, or any other powers possessed by them with reference to the footways of streets.

Owners to maintain vaults and footway.

18. Where any footway is taken over or is maintainable by the town council, they shall not thereby incur or be under any responsibility in connexion with any vault, arch, cellar or wall thereunder, and the town council may from time to time require the owner to execute such works as they may consider necessary to maintain or strengthen any such vault, arch, cellar or wall.

Operations on streets to be recorded in register.

19. Where any operations have been executed on any street under the provisions of sections one hundred and thirty-three to one hundred and forty of the principal Act inclusive, the town council shall cause a record thereof to be inserted opposite the name of such street in the register of streets.

Notice of operations on private streets.

20. Before executing any operations under section one hundred and thirty-three or section one hundred and thirty-five of the principal Act, the town council shall intimate their intention to do so, by posting one or more handbills in the street or part of the street to be dealt with and by sending notices to all the owners of lands or heritages fronting or abutting thereon, as appearing on the valuation roll.

Private courts to be paved.

21. The town council shall be entitled to call upon the owner or owners of, or entitled to the use of, any private court or any close, passage or area (other than a bleaching green, garden or shrubbery) attached to and used in common by two or more occupiers of any tenement of dwelling-houses, to pave the same (so far as not already paved to the satisfaction of the council), and to maintain, renew and extend the pavement, all to such extent, with such material, in such manner and within such time as the town council may require, and also to make and maintain such provision for the drainage of surface water as the town council may require. In the event of more than one owner being interested in the cost of such operations, the town council shall, on the application of any owner interested, fix the proportion of cost to be

borne, by each; and, in the event of the town council, in consequence of the failure of an owner or owners to obey any requisition under this section, executing the work required, they shall be entitled to charge or apportion the expense upon or among the said owner or owners as they may deem just.

Payment of expenses in connexion with streets.

22. All expenditure incurred by the town council, under the principal Act or this Act, for or in connexion with streets and footways, other than expenditure recoverable as private improvement expenses, shall, except so far as the town council may resolve to charge the same upon the general improvement rate, be defrayed from the assessment imposed by them for the purposes of the Roads and Bridges (Scotland) Act, 1878.

41 & 42 Vict. c. 51.

BUILDINGS, SEWERS, &C.

Receptacles for rubbish.

23. If any house or part of a house, occupied by a separate family, is at any time without a sufficient fixed or moveable receptacle for rubbish, appropriated either solely to their use or to their use along with other occupants of the same tenement, the town council may serve a notice on the owner requiring him, within a period of not less than seven days to be specified in said notice, to provide such receptacle of the description and to be placed in the position specified in the notice.

Penalties for failure to provide water-closets.

24. If any requirement under the immediately preceding section or under section two hundred and forty-six, section two hundred and fifty-four or section two hundred and fifty-five of the principal Act is not complied with, the owner shall be liable to a penalty not exceeding forty shillings, and to a further penalty not exceeding five shillings for each day during which such non-compliance continues.

Connections with substituted sewer.

25. Where the town council has resolved to abandon any sewer, vested in them and used as part of the sewage system of the burgh, and to substitute a new sewer in place thereof, they shall either connect with the new sewer the branch drains connected with the abandoned sewer, making such alterations or repairs thereon as may be necessary, or construct or lay from the new sewer new covered branch drains of such materials, of such size, at such level and with such fall as may be necessary for the drainage of houses or buildings previously drained by means of the abandoned sewer, and the expense of making such connection, alterations and repairs, or constructing and laying such new branch drains shall, except so far as the length of any new branch drain may exceed that of the formerly existing branch drain, be recoverable, from the owner of the house or building served thereby, as private improvement expenses.

Buildings for noxious trades. 60 & 61 Vict. c. 38.

26. Where, under the provisions of the Public Health (Scotland) Act, 1897, or otherwise, the sanction of the town council is required to the establishment of any business, the dean of guild court shall not grant decree of lining for the erection, alteration or enlarging of buildings with a view to the establishment of such business until satisfied that the town council have given their sanction.

Temporary occupation of street by builders.

27. The dean of guild court may permit any person erecting, taking down, altering or repairing any building, to occupy temporarily any portion of any street adjoining the same, for the purpose of depositing building materials or otherwise in connexion with his operations, and may permit staging or scaffolding to be erected projecting over the area so occupied: Provided that—

(1) Such occupation shall be only for such period, and subject to such charge for occupation and other terms and conditions, as the court shall prescribe in the decree permitting the occupation, and be subject to the provisions regarding hoardings of the principal Act and of this Act; and

(2) The person erecting such staging or scaffolding shall, in doing so, obey any orders regarding the same that the court or the burgh surveyor may issue to him.

The court may direct that the hoardings, referred to in the one hundred and eighty-seventh section of the principal Act, or any staging or scaffolding permitted under this section, shall be so constructed as to leave the footway of the street wholly or partially open for foot passengers and roofed over for the protection of such passengers.

Barricades streets.

28. The dean of guild court permitting the occupation of any portion of a street for the purpose aforesaid may, on special cause shown, grant an extension of the period originally prescribed for such occupation, and, if the person to whom such permission is granted continues such occupation after the expiration of such period, original or extended, he shall (in addition to any penalty that may be imposed on him) be liable to pay to the town council the sum of one penny per square yard occupied for every day that such unauthorised occupation continues, and such sum shall be recoverable, by motion at the instance of the burgh surveyor, in the process of lining under which the occupation was permitted.

Penalty on unauthorised occupation of street.

29. Every person who occupies any portion of a street, for the purpose aforesaid, without the sanction of the dean of guild court, or continues the said occupation beyond the period sanctioned, or contravenes the prescribed terms or conditions, or disobeys any order issued by the court or the burgh surveyor regarding any hoarding, staging or scaffolding erected in terms of the two immediately preceding sections or of the one hundred and eighty-seventh section of the principal Act, or refuses or neglects to remove any such staging or scaffolding, when directed by the court, within a time specified by the court for such removal, or commences any building operations without having provided any hoarding required in connexion therewith, shall be liable to the penalties specified in the one hundred and eighty-seventh section of the principal Act.

Advertisements on hoardings.

30. Where such hoardings, stagings or scaffoldings are erected upon the solum of the street, they shall not, without the permission of the town council, be used for advertising purposes, except by the occupiers of the premises at which they are erected with reference to their own business. Any person contravening this enactment shall be liable to a penalty not exceeding forty shillings.

Safety of roofs and platforms.

31. Every roof of a new or existing building and every platform, balcony, stand, staging or other structure or part thereof, let or used, or intended to be let or used, for the purpose of affording sitting or standing accommodation for a number of persons, shall be safely constructed and secured and provided with sufficient access and exit, all to the satisfaction of the burgh surveyor, who shall be entitled to issue such notices or requisitions with regard thereto as he shall think proper.

Any person who uses, or allows to be used, for the said purpose any such roof or structure or part thereof not so safely constructed or secured and provided with sufficient access and exit, or who neglects to comply with any notice or requisition of the burgh surveyor with regard thereto, shall be liable to a penalty not exceeding fifty pounds, and a further penalty of five pounds for each day during which such use or neglect continues, and may further be interdicted by the dean of guild court from such use until such notice or requisition is complied with.

Scaffoldings.

32. The dean of guild court shall, on the application of the burgh surveyor, have power to prohibit and stop the erection, use or employment, and to order the alteration or removal of any crane, scaffolding, staging or shoring in or connected with the construction and erection or the demolition, alteration, repair or securing of any new or existing building, or in or connected with any excavation for the purpose of any work authorised by the dean of guild court, where such crane, scaffolding, staging or shoring is, or is likely to be, in the judgment of the burgh surveyor, a source of danger.

Burgh surveyor may inspect buildings.

33. The burgh surveyor, or any inspectors appointed by him or by the town council or any men of skill appointed by the dean of guild court and exhibiting their authority, if called upon to do so, may at any reasonable time enter upon and inspect all buildings, premises or lands, upon which any operations are being executed under decree of the dean of guild court, and all public buildings, and any person who obstructs or interferes with the burgh surveyor or such inspectors or men of skill, or who refuses to give all reasonable facilities for the purpose of such inspection, shall be liable to a penalty not exceeding five pounds for each offence.

Testing strengths.

34. The burgh surveyor may apply, or cause to be applied, any reasonable tests to determine the quality and strength of any material used or proposed to be used in the construction of any building, street, sewer or work, and the owner of such building, street, sewer or work shall, if required, provide facilities and assistance to enable him to test such quality and strength, and the determination of the burgh surveyor as to such quality and strength shall be subject to the review of the dean of guild court.

The costs of such tests and the expenses of procedure, connected therewith and consequent thereon, shall be borne by the owner of such building, street, sewer or work, and the dean of guild court may decern for such costs and expenses against such owner.

Burgh surveyor may stop infringements.

35. Wherever the burgh surveyor finds any operation in progress or work being done on or in connexion with any street

or building, contrary to the Burgh Police Acts or any byelaw thereunder, he may forthwith prohibit such operation or work for any period not exceeding one week, and may take precautions by the appointment of watchmen and otherwise to ensure that such operation or work shall not be resumed within such period; and the burgh surveyor shall forthwith bring the matter before the dean of guild court, and the dean of guild court shall be bound to hold a sitting for the disposal of the matter before the expiry of the said week, and constables of police shall be bound to render such assistance as may be required to enable the burgh surveyor to carry the provisions of this section into effect.

Dean of Guild Court.

Town council may appear before court.

36. Where the town council appear as a party before the dean of guild court, they may appear by such law agent, other than the town clerk, as they may appoint.

Form of proceedings.

37. Without prejudice to the use of any other competent form, the proceedings before the dean of guild court may be in a similar form to those in civil processes in the sheriff court, and all decrees, warrants and orders of the court may be extracted, served, intimated, endorsed and enforced both within and outside of the burgh, in the same form and manner, by the same officers and to the same effect as any decree, warrant and order issued by any sheriff court in such processes: Provided that, where it is necessary to execute any such decree, warrant or order anywhere within the county within which the burgh is situated, but outside the burgh, the same shall be endorsed by the sheriff clerk of the said county or his depute. Where expenses are found due to or by any parties to any process before the court, the same shall be taxed in accordance with the table of fees applicable to proceedings in the sheriff court, and the clerk of the dean of guild court shall act as auditor of the accounts of expenses.

Town council may prescribe rules for court.

38. The town council may, if they deem it advisable, from time to time prescribe rules for the conduct of the business of the dean of guild court and, in particular, for regulating—

(1) The dates of the meetings of the said court:
(2) The quorum necessary at such meetings:
(3) The number of days that must elapse between the presentation or service of any petition and the sitting of the court at which it is to be considered:
(4) The persons on whom any petitions or deliverances should be served:
(5) The plans to be submitted along with any application: and
(6) The duties of the clerk and other officers of court:

and may from time to time vary or alter such rules.

Power to relax certain statutory rules.

39. The dean of guild court may, upon a report in writing by the medical officer and burgh surveyor that adequate provision is made for light and ventilation and with the consent of the town council, in any special case, relax or modify to such extent and under such conditions as the court may think proper, all or any of

the provisions of the Burgh Police Acts with regard to the laying out of streets and the erection or alteration of buildings and the open space adjoining buildings, provided the court is of opinion that there are exceptional circumstances justifying such relaxation or modification.

Burgh surveyor may give warrant for minor alterations.

40. In the cases (1) of any internal alteration of the structure of a building which the burgh surveyor shall consider to be of a minor and unimportant character, and (2) of the erection of waterclosets and other offices, though proposed to be erected externally, the burgh surveyor shall, if and during such period as the dean of guild court grants him authority, have power, on written application being made to him, to grant permission to the owner to proceed with the same without further authority, and in such a case it shall not be necessary for the owner to obtain warrant therefor from the dean of guild court, but in every such case the operations shall be carried out to the satisfaction of the burgh surveyor, who shall keep a record of such applications and of the permission granted and the conditions thereof, and in each case report the same to the next meeting of the dean of guild court. In any burgh where a councillor is appointed to perform the duties and functions of a dean of guild, under section one hundred and two of the Town Councils (Scotland) Act, 1900, such councillor shall, if the town council so resolve, come in place of the burgh surveyor for the purposes of this section.

63 & 64 Vict. c. 49.

Penalties for laying out streets or erecting buildings without warrant.

41.—(1) Every person who, contrary to the provisions of the Burgh Police Acts—

(*a*) Shall lay out or form or begin to lay out or form any street or part thereof or erect or begin to erect any house or building, or make any excavation for the purpose of such formation or erection (with the exception of excavations for the laying or repair of sewers, drains, water or gas pipes or electric apparatus, or for the formation or repair of any street made by authority of the town council or burgh surveyor, and of excavations made by statutory authority) without having obtained warrant therefor from the town council or the dean of guild court, as the case may be: or

(*b*) Shall widen, extend or otherwise alter or close up any street or part thereof, or alter, add to or take down in whole or part, or re-erect or restore, after destruction by fire or otherwise, the structure of any building, or alter the structure of and use for human habitation any house or building not previously so used, or alter the mode of occupancy of any house in such a manner as to increase the number of houses or occupants, without having obtained warrant therefor from the town council, the dean of guild court or the burgh surveyor, as the case may be: or

(*c*) In carrying out any of the operations aforesaid shall deviate from the plans sanctioned by the town council or the dean of guild court, as the case may be, or contravene or fail to comply with any conditions contained in the warrant or other authority sanctioning the same:

shall be liable to a penalty not exceeding fifty pounds.

(2) Every person who, in carrying out any of the operations aforesaid shall, otherwise than as above mentioned, contravene or fail to comply with any lawful order of the town council, the dean of guild court or the burgh surveyor, as the case may be, or shall contravene or fail to comply with any of the building rules under section one hundred and seventy-seven of the principal Act, shall be liable to a penalty not exceeding twenty pounds.

(3) In case of any contravention as in this section mentioned, the town council or dean of guild court, as the case may be, may order the closing or opening up of any street or part thereof, or the closing or demolition of any building or part thereof, or the restoration of the same to its previous condition, or the execution of such work upon the same as they may judge requisite to make the same conform, or as nearly as may be conform, to the sanctioned plans and the conditions of the warrant or the building rules aforesaid.

Any such order may specify dates for the commencement and completion of the work ordered, and any person failing to commence or complete the work ordered within the period specified shall, in addition to any penalty which he may incur under the provisions of subsection one or subsection two hereof, be liable to a penalty not exceeding five pounds for each day after the respective dates so specified during which such failure shall continue.

(4) Where any such order has been made and the work has not been commenced or completed at the respective specified dates, or where the court, in pronouncing any order, authorises the town council to carry it out, the town council shall be entitled to carry out the said order, and any expense thereby incurred by them shall be recoverable as private improvement expenses.

Town council in certain burghs to have powers of dean of guild court.

42. In any burgh where there is no dean of guild court, the functions of the dean of guild court under the Burgh Police Acts shall be performed by the town council, to whom all applications required to be made to the dean of guild court shall be made. Provided that nothing herein contained shall entitle the town council to act as a court for the trial of guild offences.

Enforcement of penalties for dean of guild court offences.

43. In addition to any other competent means of recovery, the penalty for any guild offence may be recovered by poinding or arrestment, and the sentence of the court imposing the penalty may contain a warrant therefor.

Public Parks.

Power to erect buildings in public parks.

44. The town council may, in any park, open space, pleasure ground or place of public resort or recreation vested in them or under their control,—

(1) Reclaim any waste ground:

(2) Unless prohibited by any local Act, erect pavilions, shelters, band stands or similar buildings, and give the use of the same to the public or to givers of entertainments, at such charges as they may fix, and let out any part of the same as shops, stalls or restaurants:

(3) Provide music by bands, concerts or otherwise:
(4) Set apart and lay out any reasonable portion thereof for any game, and make such charges as they may fix for persons or clubs using such portion: and
(5) Set apart any reasonable portion thereof as a children's playground and provide gymnastic or other apparatus therefor.

The town council may defray the cost of anything done under this section from any assessment applicable to the acquisition or maintenance of public parks, open spaces, pleasure grounds or places of public resort or recreation.

RATING AND BORROWING POWERS.

Fractions of a pound not to be reckoned in assessing.

45. In assessing, levying and collecting all rates and assessments imposed by the town council under any Act, any fractional part of a pound exceeding ten shillings shall be reckoned as one pound of rateable rent or value, and any fractional part less than ten shillings shall not be taken into account.

Extension of certain sections of Burgh Police Act.

46. Sections three hundred and forty-three to three hundred and forty-six inclusive, and three hundred and forty-eight to three hundred and fifty-seven inclusive, and section three hundred and seventy of the principal Act shall, notwithstanding any enactment to the contrary, be applicable to all assessments levied by the town council under statutory authority.

Extension of preliminary requirements to all borrowing.

47. The provisions of section three hundred and seventy-four of the principal Act, as to estimate, notice and disposal of any proposal to borrow, shall apply to all sums to be borrowed, whether temporarily or otherwise, by the town council of any burgh under any public general Act.

Sinking funds.

48. In providing the sinking fund applicable to the repayment of any moneys borrowed by them after the commencement of this Act under any public general Act in force at the passing of this Act, the town council may in their option either do so in the manner provided by such Act, or they may annually or semi-annually, during a period not exceeding thirty years from the date of borrowing, set apart such sum as, with the interest on any accumulations thereof, shall be sufficient to pay off the whole principal and interest of the loan within such period. In calculating the annual or semi-annual amount necessary for this purpose, the interest to be received on the accumulations of the sinking fund shall be reckoned at the rate of three per centum per annum, or at such other rate as the Secretary for Scotland may, at the date of borrowing, fix, on the application of the town council. It shall further be in the power of the town council, in the case of any loan, instead of providing a sinking fund for the repayment thereof, to agree with the lender that the annual or semi-annual sums set apart as aforesaid shall be received by him in liquidation of the principal and interest of the debt.

Power to borrow temporarily.

49. For the purpose of providing temporarily for their current expenses under any public general Act between the commencement

of any financial year and the date when any assessment for that year is received, or of providing temporarily for the payment of any expenses, which the town council of any burgh are entitled to defray from moneys borrowed under any public general Act on the security of any assessment, it shall be lawful for the town council to borrow, by way of temporary loan or overdraft from any bank, or on temporary loan on deposit receipt from any person, on the security of such assessment, such sums as they may from time to time resolve, and any amount so borrowed shall form a charge upon the assessment in respect of which it is borrowed, as the same may be specified in the resolution of the town council authorising such borrowing, pari passu with any bond or mortgage affecting the same, and it shall further be lawful for the town council to utilise, for providing temporarily for any such expenses, any sinking funds which they may have on hand, crediting the said sinking funds with such fair rate of interest not being less than three per centum per annum as they may resolve: Provided that—

(1) All sums so borrowed in respect of the current expenses of any financial year shall be repaid, before the expiry of such year, out of the assessment or assessments of such year:

(2) Every other sum borrowed under the provisions of this section shall be repaid not later than six months after the expiry of the financial year in which it is borrowed: Provided that, if any such sum is repaid by means of a loan, whether on mortgage or otherwise, such loan shall be deemed to have been incurred at the date at which such sum was first temporarily borrowed, and all provisions for the repayment of such loan shall apply accordingly:

(3) In all cases the town council shall, in the annual abstract of their accounts, show separately the amount outstanding at the end of each year of any sums temporarily borrowed, and state the reason of the same being outstanding and the steps they intend to take for paying off the same.

Offences and Penalties.

All vehicles to carry lights.

50. Every carriage (as defined in the principal Act) drawn by animal power, which shall be driven or be upon any street during the period between one hour after sunset and one hour before sunrise, shall be provided with a lamp or lamps, which shall be constructed and placed so as to exhibit a white light, visible within a reasonable distance in the direction in which the carriage proceeds or is intended to proceed and so lighted and kept lighted as to afford adequate means of signalling the approach or position of the carriage: Provided that, where one lamp only is so carried, it shall be, or, where more than one lamp is so carried, one of such lamps shall be, attached to the extreme off or right side of the carriage: Provided also that any carriage used for the purpose of carrying timber, whether rough or sawn, or for the purpose of carrying any pole, board, wooden or metal bar, rail, girder, boiler, structure or implement or other similar load, which shall project more than six feet beyond the rear of the carriage, shall, in addition to the above-mentioned white light, carry, attached

to such carriage, or to such timber, pole, board, wooden or metal bar, rail, girder, boiler, structure or implement or other similar load, a lamp or lamps, which shall be so constructed and placed, and so lighted and kept lighted, as to exhibit a red light visible within a reasonable distance to persons overtaking such carriage, and to show the extent to which the timber, pole, board, wooden or metal bar, rail, girder, boiler, structure or implement or other similar load projects behind the carriage.

Any person who shall cause or permit any carriage, not provided with a lamp or lamps in accordance with this section, to be driven or to be upon any street, during the period aforesaid, shall be liable to a penalty not exceeding forty shillings, and the driver or other person in charge of any carriage provided with a lamp or lamps in accordance with this section, who shall drive such carriage or cause or suffer the same to be driven or to be upon any street during the period aforesaid, shall, if such lamp or lamps be not duly placed, lighted and kept lighted in the manner and during the period by this section required, be liable to a penalty not exceeding forty shillings.

Every existing power to make byelaws, requiring vehicles drawn by animal power to be provided with lamps, and every byelaw made thereunder shall, so far as such power or byelaw applies to a burgh to which this section is applicable or by which this section shall have been adopted, be repealed and rescinded.

Prohibition of betting in streets.

51. If any person who conducts business of any kind in lotteries, betting or gaming, shall in any street engage in lotteries, betting or gaming, or do any act for the purpose of inducing or enabling any other person to engage in any lottery, betting or gaming, he shall be liable to a penalty not exceeding ten pounds for the first offence, twenty pounds for the second and fifty pounds for any subsequent offence within the burgh. In the case of any second or subsequent offence, the offender may be sentenced to a period of imprisonment not exceeding sixty days, without the option of a fine. Any constable may take into custody, without warrant, any person who shall commit an offence under this section in view or hearing of such constable. In this section the expression "street" includes any common stair.

Penalty on allowing loose paper to lie on streets.

52. Every person who—

(1) Being a bill poster or an employee of such person affixes or causes to be affixed to any building or hoarding any bill or advertisement, unless the same is fastened in such a manner as to reasonably provide against its being torn, blown or washed off by the action of the weather, or, after removing any bill or advertisement or part thereof, throws down or places and leaves the same upon any street: or

(2) Being a shopkeeper or other retail tradesman, or an employee of such person habitually engaged in delivering goods, throws down or places and leaves, upon any street, any paper or other similar article used or intended to be used for the wrapping of goods,

shall be liable to a penalty not exceeding forty shillings for each offence.

Prevention of unnecessary noises during illness.

53. It shall not be lawful for any person in any common stair, passage or back court within the burgh, in which a notice signed by a duly qualified medical practitioner has been posted in a conspicuous position intimating the existence of serious illness, to make any unnecessary noise which might be hurtful to any person suffering from such serious illness in any dwelling-house entering therefrom.

Manufacture and sale of ice cream.

54.—(1) Any person being a manufacturer of or merchant or dealer in ice cream or other similar commodity, who within the burgh—

(*a*) Causes or permits ice cream or other similar commodity to be manufactured, sold or stored in any cellar or room in which there is an inlet or opening to a drain; or

(*b*) In the manufacture, sale or storage of any such commodity does any act or thing likely to expose such commodity to infection or contamination, or omits to take any proper precaution for the due protection of such commodity from infection or contamination; or

(*c*) Omits on the outbreak of any infectious disease amongst the persons employed in his business to give notice thereof to the medical officer;

shall be liable for every such offence to a penalty not exceeding forty shillings.

(2) In the event of any inmate of any building, any part of which is used for the manufacture of ice cream or similar commodity, suffering from any infectious disease, the medical officer may seize and destroy all ice cream or similar commodity or materials for the manufacture of the same in such building, and the council shall compensate the owner of the ice cream, commodity or materials so destroyed.

MISCELLANEOUS.

Power to oppose Bills and Provisional Orders.

52 & 53 Vict. c. 50.

62 & 63 Vict. c. 47.

55. Without prejudice to any powers possessed by them under the existing law the town council of a burgh shall, subject to the like conditions, have the like powers of opposing Bills or Provisional Orders as are conferred upon county councils by section fifty-six of the Local Government (Scotland) Act, 1889, as read with the Private Legislation Procedure (Scotland) Act, 1899, and any expenses incurred by them in any year in the exercise of the last-mentioned powers may be defrayed, in whole or in part, from any assessment or from any two or more separate assessments, levied by them in such year or in the following year, all as the town council may determine. Provided that any ratepayer, who is entitled to an exemption from any assessment leviable by the town council, may appeal to the Secretary for Scotland against any such determination, and his decision shall be final. Provided further—

(1) That any such appeal shall be made within fourteen days from the publication or advertisement, in manner provided by section three hundred and forty of the principal Act or otherwise of the assessment appealed against; and

(2) That in the event of any such appeal being sustained, in whole or in part, and any such assessment being quashed or varied, it shall be competent to the town council, notwithstanding anything in the principal Act or any other Act contained, to forthwith rectify and readjust, in accordance with the decision of the Secretary of Scotland, the assessment so quashed or varied.

Power to appoint depute officers.

56. The town council of any burgh may appoint one or more depute burgh prosecutors, public analysts, burgh surveyors, treasurers and collectors, possessing the same qualifications as are necessary for the principal officers, to act in the absence or illness of any such officers, and, in case of vacancies, may make interim appointments, and persons so appointed shall, during such absence or illness or during vacancies as aforesaid, have the same powers and duties as such officers.

Compensation for land to be settled by single arbiter.

57. In all cases of disputed compensation under this Act or any other public general Act whereby the town council of any burgh is entitled to acquire land compulsorily under the Lands Clauses Acts, or whereby any compensation payable by a town council falls to be determined under the last-mentioned Acts, it shall, unless both parties concur in the appointment of a single arbiter in terms of such Acts, be in the power of either party to apply to the Secretary for Scotland to appoint a single arbiter to determine the compensation to be paid, and it shall not be competent thereafter to have the same determined by arbiters, oversman, sheriff or jury acting under the said last-mentioned Acts. The said arbiter upon appointment shall be deemed to be a sole arbiter within the meaning of the Lands Clauses Acts, and the provisions of the said Acts with regard to arbitration shall apply accordingly, and the arbiter shall, notwithstanding anything in the said Acts, determine the amount of the expenses in the arbitration, and such determination shall be final. The remuneration of the said arbiter shall, failing agreement, be fixed by the Secretary for Scotland. The expression "land" in this section includes water and any right or servitude to or over land or water. Provided that this section shall not apply in any case where the public general Act, authorising the acquisition of land or determining the compensation aforesaid, makes special provision for the appointment of a single arbiter.

Limitation of obligations of factors.

58. Any factor, agent or commissioner, within the meaning of subsection twenty-two of section four of the principal Act, responsible as such for carrying out and implementing the obligations imposed by the Burgh Police Acts upon any owner and for payment of any penalties imposed by or expenses incurred under said Acts, shall be liable to the extent only of the funds, rents and other assets, belonging or payable to such owner, which may be in or may come into his hands or control, and in the event of such factor, agent or commissioner paying or becoming liable for any sums of money in implementing such obligations and paying such penalties or expenses, he shall have a right and claim

for relief against such owner for any sums so paid or expenses incurred by him. Provided that any notice given to such factor, agent or commissioner, by or at the instance of the town council in respect of any lands or premises, shall be effective against the owner or any new factor, agent or commissioner appointed by him, and any action raised against such factor, agent or commissioner may, on the motion of the town council, be transferred against the owner or any new factor, agent or commissioner appointed by such owner. Provided further that nothing herein contained shall affect the liability of any factor, agent, or commissioner in respect of his personal delict.

Byelaws for commons, &c. beyond burgh boundaries.

59. Where any common, links, bleaching green, recreation ground, park, open area or space or other place of public resort or recreation is situated partly within and partly outside of any burgh, the town council may exercise, with regard to the whole area of the same, the same powers of making byelaws as are possessed by them with regard to any such places so far as within the burgh, provided that such byelaws shall not have effect in the portion thereof situated out of the burgh, without the consent of the county council or town council, as the case may be, of the county or burgh within which such portion is situated.

The powers conferred on the magistrates by section two hundred and seventy-five of the principal Act with regard to golf caddies may, with the consent of the county council or town council as aforesaid, be exercised over the whole area of any golf links situated partly within and partly outside of any burgh.

Part II.—Adoptive.

Supplementary valuation roll. 17 & 18 Vict. c. 91.

60. The county council and magistrates of burghs respectively acting under the Lands Valuation (Scotland) Act, 1854, in addition to the ordinary valuation roll made up under the said Act as at fifteenth August in each year, shall between the first day of January and the first day of March in each year, if the town council so resolve before the said first day of January, cause to be made up by the assessor under the said Act a supplementary valuation roll, showing the yearly rent or value and other particulars, as in the ordinary valuation roll of all lands and heritages that may have come into existence or occupancy within any burgh after the completion of the ordinary valuation roll last made up, and also including a column stating the respective dates when such lands and heritages came into existence or occupancy, but excluding any column such as mentioned in section nine of the Representation of the People Act, 1884; and all statutory provisions applicable to the principal valuation roll shall, mutatis mutandis, be applicable to the said supplementary roll, and the town council shall be entitled to impose supplementary assessments in respect of all lands and heritages in such supplementary roll, proportionate to the respective periods between the dates so stated and the term of Whitsunday next following, for all purposes for which the town council may be entitled to assess, which supplementary assessments

48 & 49 Vict. c. 3.

shall be made, so far as possible, in the same manner, under the same conditions and with the same powers of recovery as are applicable to the corresponding assessments for the whole year. All expenses incurred by a county council in giving effect to the provisions of this section in any burgh shall be requisitioned for and paid in terms of section sixty-six of the Local Government (Scotland) Act, 1889.

52 & 53 Vict. c. 50.

STREETS AND BUILDINGS.

Width of streets and height of buildings.

61. Section one hundred and fifty-two of the principal Act shall be repealed and in place thereof the following section shall have effect:—

(1) It shall not be lawful to form or lay out any new street or part thereof or court within the burgh, unless the same shall (measuring from the centre of the front wall of the building or intended buildings therein at the level of the surface of such street) be at least sixty feet wide and unless a space of at least forty feet shall be set apart for carriageway and footways, and no dwelling-house or houses shall be built in any such street or court which shall exceed in height, from the level of the surface of the street or court to the ceiling of the highest habitable room, one and a quarter times the width of such street, measuring from the front wall of the buildings or intended buildings on each side thereof: Provided always that, where any road or street fronts any links or common or other open area, or in other exceptional circumstances, the town council may allow buildings of greater height:

(2) For the purposes of this section a street shall not include a mews or other lane, which may be made fifteen feet wide or of such other width as may, according to the use to be made thereof, be approved of by the town council: Provided that no dwelling-house or houses to be built fronting a lane shall exceed in height one and a half times the width of the lane:

(3) Where a building abuts on two streets or courts of different widths or levels, the height shall be measured from the street or court which lies on the higher level, and shall be regulated by the width of the wider of such streets or courts to a distance of fifty feet along the narrower street or court from the point of junction:

(4) The area between the said space for carriageway and footways and the building line may be occupied by fences not exceeding six feet in height above the street level, or by outside door-porches or door-steps of such height and breadth as shall be approved of by the town council, or by trees or shrubbery, but with these exceptions shall not be occupied by any erection above the street level:

(5) Where any ground, whether belonging to one or to more than one proprietor, abuts on an existing street and is, for a continuous distance of two hundred yards or upwards along the street, either unbuilt upon within a line parallel to and running at a distance of thirty feet from the centre line of the street, or not occupied within the said thirty foot line by buildings of a

greater height than fifteen feet, it shall not be lawful to erect any new building thereon within the said thirty foot line: Provided that this subsection shall not apply to any existing street which has been formed or laid out under the provisions of the Burgh Police Acts or any Act thereby repealed:

(6) Where the council of a burgh adopting this section inserts, in the resolution by special order adopting it, a proviso that the words "sixty feet," occurring in subsection one, shall be altered by the substitution therefor of any number of feet, specified in the resolution, not being less than forty and not exceeding sixty feet, and that the words "thirty feet" in subsection five shall be altered as nearly as may be in proportion, and also that the words "forty feet" in subsection one shall be altered by the substitution therefor of any number of feet, specified in the resolution, not being less than thirty-six and not exceeding forty feet, this section upon adoption shall, in its application to such burgh, be read and construed accordingly as subject to such proviso.

Corners of streets.

62. The dean of guild court, on the application of the town council, may require the owner of any new building, proposed to be erected at the junction of two streets, to round off the corner of such building, either to the height of the first storey or to the full height of the building or to such extent otherwise as the said court may determine, and for any loss, which may be sustained through the exercise of the powers by this section conferred, the town council shall make compensation to the owner of such building, to be assessed, in case of dispute, by arbitration under the Lands Clauses Acts. The said compensation shall be defrayed from the same source as the expenditure referred to in the section of this Act, whereof the marginal note is "Payment of expenses in connection with streets."

Area to be attached to dwelling-houses.

63. Section one hundred and seventy of the principal Act shall be repealed and, in place thereof, the following section shall have effect:—

Every new building intended to be used in whole or part as a dwelling-house or houses, and every building not previously so used when the same is altered for the purpose of being so used, shall (subject as herein-after provided) have immediately adjoining it, on the further side of the building from that fronting the street on which it abuts, an open space for light and ventilation, equal in breadth at the narrowest part to the height of the building (measured from the floor of the lowest room to be occupied as a dwelling-house or part thereof to where the roof of the building rests upon the wall) and extending along the whole length of the side of the building which such space subtends. The said space may consist in whole or part either of—

(*a*) A public street, lane or court;

(*b*) A private street, lane or court or other vacant space, over which a servitude exists, in favour of the ground occupied by the proposed new building or building altered as aforesaid, entitling the owner thereof to insist that it shall be always

kept open and unbuilt upon, except as regards the conveniences after mentioned;

(*c*) Ground belonging to the owner of the said building which he undertakes to keep vacant, except as regards such conveniences; or of

(*d*) Ground which, in the opinion of the dean of guild court, is not likely to be built on in such a manner as to exclude or restrict light and ventilation:

No buildings of any kind shall be erected upon the said open space, above the level of the floor of the lowest room to be occupied as a dwelling-house or part thereof, other than the sloping roof of any saloon used for business premises situated below the level of the said floor, or other than the waterclosets, privies, ashpits, coal-houses, washing-houses or other similar conveniences attached to dwelling-houses which conveniences shall not exceed fifteen feet in height above the ground, and shall be limited to such extent of area and placed in such position as the dean of guild court may determine, so as to interfere as little as possible with the light and ventilation of the dwelling-houses adjoining the said open space: Provided that—

(1) In the case of any building or part of a building situated within sixty feet of the junction of the building lines of any two streets or courts, the provisions of this section shall be modified to such extent as shall, in the opinion of the dean of guild court, be necessary to permit the corner stance to be built upon:

(2) In the case of any new building erected on the site of any building used, at the date when this section comes into force, in whole or part as a dwelling-house or houses, the provisions of this section shall be subject to the modification that, where the said new building does not exceed the limits of the old building as regards height, breadth and length, and the open space in rear of it is, at the said date, less than or of a different character from that required by this section, the owner shall not be required to provide additional open space:

(3) In the event of any one or more flats in any building ceasing to be occupied as dwelling-houses, the owner of the open space adjoining such building may (if otherwise entitled to do so and if building upon the same will not interfere with the open space required for any other building) build upon the said open space, up to the level of the floor of the lowest flat still occupied in whole or part as a dwelling-house, but the part of the building below such level shall not be again used as a dwelling-house except upon removal of such additional buildings.

Space in front of sleeping apartments.

64. It shall not be lawful for any owner to let as a sleeping apartment, or for any person to hire, use or suffer to be used as a sleeping apartment, any room unless there be in front of at least one-half of every window of such room an open space, beyond any obstruction or impediment from overhanging balconies, of a breadth equal to at least three-fourths of the height of the wall in which

the window is placed, measuring such space in a straight line from and at right angles to the plane of the window, and measuring such wall from the floor of the room to where the roof of the building rests upon such wall: Provided that—

(1) This enactment shall not be held to be contravened in the case of any room having two or more windows, one of which contains the area of glass required by the one hundred and seventy-third section of the principal Act and has, in front of at least one-half thereof, an open space as above specified:

(2) Where any room, at or prior to the adoption of this section used as a sleeping apartment, is wholly or partly below the level of the street or other open ground which its window faces, the open space required by this section, so far as below the said level, need not be of greater width than the distance from the surface of the floor to the said level:

(3) Notwithstanding that any room used as a sleeping apartment in any existing building does not comply with this section, it may for the period of two years, from the date when this section comes into force, continue to be so used, and the town council may on the application of the owner, and after a report by the medical officer and burgh surveyor as to the fitness of the room for use as a sleeping apartment, pass a resolution extending the said period to such date as they may fix. The owner may appeal against any refusal or delay for more than a month to pass such resolution in terms of section three hundred and thirty-nine of the principal Act:

(4) This section shall not apply to any room, at or prior to the adoption thereof, legally used as a sleeping apartment and contained in any building erected since the commencement within the burgh of the principal Act and in conformity with the provisions of that Act.

Any person contravening this enactment shall be liable to a penalty not exceeding five shillings for each room for every day or part of a day during which such room is used in contravention thereof.

Bed-recesses.

65. It shall not be lawful in any dwelling-house to make any new enclosed bed or bed recess which is not open in front for three-fourths of its length and from floor to ceiling (with the exception only of carrying-beams). No building which contains any enclosed bed or bed recess shall be altered so as to increase the number of dwelling-houses or occupiers in such building, unless all such enclosed beds and bed recesses therein are opened up to the extent foresaid.

Cubic space in dwellings.

66. No dwelling-house shall hereafter be erected, provided or constructed in any new or existing building, and no dwelling-house shall be altered so as to be (exclusive of any lobbies, closets, presses and recesses) of less than the dimensions following, viz.:—

Dwelling-houses of one apartment, 1,000 cubic feet:

Dwelling-houses of two apartments, 1,600 cubic feet:

Dwelling-houses of three apartments, 2,400 cubic feet:

Provided that—

(1) The provisions of this section shall not prevent the restoration, according to the original plan, of dwelling-houses destroyed by fire, unless the building is destroyed or taken down to within fifteen feet of the level of the street:

(2) Where it is proposed to alter an existing dwelling-house so as to increase its dimensions, it shall be in the power of the town council to permit said alteration, though the increase may not be sufficient to bring the dimensions up to the above scale:

(3) This section shall not apply to the erection, provision, construction or alteration of any dwelling-house in accordance with any warrant of the dean of guild court, granted before the date when this section comes into force.

The word "recess," in this section and in the section immediately following, shall mean and include any recess having no separate window, which is not open from front to back, from floor to ceiling and from side to side and is not free from fixtures.

Ticketing of cubic space.

67. Any person appointed in writing by the town council may, at any reasonable time, enter any dwelling-house which consists of not more than three apartments for the purpose of measuring, in cubic feet, the space contained therein (exclusive of lobbies, closets, presses and recesses), and, if the cubic contents thereof do not exceed two thousand four hundred feet, may, in such position and style as the town council see fit, mark thereon or affix thereto a ticket on which are marked the number of such cubic feet and the number of persons exceeding the age of ten years who, without a breach of the provisions of this section, may sleep therein, reckoning one such person for every four hundred cubic feet; and any person who obliterates, defaces, removes or alters such marking or ticket shall be liable to a penalty not exceeding ten shillings.

Penalty on overcrowding.

68. If any dwelling-house is used for the purpose of sleeping therein by a number of persons greater than is marked or ticketed thereon, in pursuance of the provisions of the immediately preceding section, (every two persons of less than ten years of age being reckoned as one person exceeding the said age) every person so using the said dwelling-house, or suffering the said dwelling-house to be so used, shall be liable to a penalty not exceeding twenty shillings for every day or part of a day during which it is so used or suffered to be used, and any persons authorised in writing by the town council and exhibiting their authority, if called upon to do so, may at any time enter any dwelling-house marked or ticketed as aforesaid, if they believe that the provisions of the said section are being contravened.

HOLLOW SQUARES.

Provisions for openings in hollow squares.

69. The expression "hollow square," in the sections of this Act under the heading "Hollow Squares," shall mean and include any square, parallelogram, triangle, polygon, circle or other regular or

irregular figure of ground of a less superficial area than one acre, bounded on all sides by one or more streets in such a manner as to permit of buildings being erected on it round its margin, so as entirely to enclose the interior space.

Where a petition is presented for a warrant to form or lay out a new street so as to enclose, in conjunction with then existing streets, or with other new streets then proposed to be formed, or that may thereafter be formed, a hollow square, the town council, before sanctioning such street, shall require the owners of the ground forming the hollow square to provide spaces or openings fifteen feet wide through the hollow square from street to street for the purpose of through ventilation and, if the owners fail to submit on a plan a suitable position for such spaces or openings, the town council shall fix the same: Provided that, where in consequence of one or more sides of any hollow square having, before the date of the application for sanction of such new street, been already wholly or partially built upon, it may be impossible, without removal of buildings, to provide suitable spaces of the foregoing description going through from street to street, the town council may accept one or more spaces or openings of the aforesaid size and in such position or positions as they may fix in any part of the said hollow square in lieu of the above requirements. Any spaces or openings provided under this section shall remain open and unbuilt upon from the height of fifteen feet upwards.

Compensation for ground taken.

70. Where the ground composing any hollow square belongs to different owners, the owner of any ground which may be set apart for the aforesaid spaces or openings shall be entitled to be paid, by the whole owners of the hollow square, compensation in respect of the ground so set apart, and the said compensation shall, failing agreement, be fixed by a valuator to be appointed by the sheriff on the application of any owner interested. In fixing the said compensation the valuator shall take into consideration—

(1) The use which the owner of the ground set apart and the other owners of the hollow square may make of the open space up to the height of fifteen feet;

(2) Any injury which the setting apart of the said ground may occasion to the remaining property of the owner thereof;

(3) Any improvement which the existence of the said open space may cause to the claimant's property, either by itself or in common with the other properties in the hollow square;

and the valuator shall further apportion the said compensation among the whole owners liable, including the claimant, in proportion to the area of their respective properties or in any other proportion that he may consider just. The expenses attending the said valuation, including the valuator's fee, as the same may be fixed by the sheriff, shall be paid by the owners liable to pay such compensation in such proportions as the valuator may fix.

Compensation to form a charge on property.

71. The portion of the compensation and expenses, referred to in the preceding section, allocated upon each of the owners in the hollow square shall, in terms of this section, form a charge upon the

property in respect of which it is allocated preferable to any feu-duty, ground annual, heritable security or other burden thereon, and, on production of the valuator's report, the sheriff shall grant a decree for the amount thereof and for the expense of obtaining and extracting the said decree against the owner liable, including a declarator that the same forms a charge upon the property in question, and, on an extract of the said decree being recorded in the appropriate Register of Sasines, the amount contained therein, with interest thereon at the rate of four per centum per annum from the date thereof, shall form a real lien and burden preferable as aforesaid upon the said property. The keeper of the said Register shall be bound to receive and register such extract decree.

Buildings in hollow squares.

72. Where an application is made to the dean of guild court to sanction the erection of buildings fronting any street enclosing along with other streets, then existing or which may be thereafter formed or laid out a hollow square, the court shall, before sanctioning such erection, require the provision (so far as not already provided) by the owners of the ground forming the hollow square of spaces or openings, of the nature specified in the three immediately preceding sections, and the provisions of the said preceding sections shall apply thereto.

Openings through existing buildings.

73. It shall not be competent for the town council or the dean of guild court to require any of the spaces or openings for through ventilation, referred to in the four preceding sections, to be formed through or over any ground already occupied by buildings of more than fifteen feet in height, but, where it appears to the town council expedient to acquire, for the formation of such spaces or openings for through ventilation, any ground occupied by such buildings, they shall have power to acquire such ground and the buildings thereon and, failing agreement with the owner, shall be entitled to put in force, with regard to the said ground and buildings, the powers contained in the Lands Clauses Acts with respect to the purchase and taking of land otherwise than by agreement.

Formation by town council of openings.

74. Upon acquisition of the ground referred to in the immediately preceding section, the town council shall remove the buildings thereon or so much thereof as shall be necessary to make the said spaces or openings for through ventilation, and shall be entitled to recover from the whole owners of the hollow square the value of the ground necessary for the formation of such spaces or openings, in manner provided in the section of this Act whereof the marginal note is "Compensation for ground taken," together with the expenses of the acquisition and valuation; but the valuator shall not be entitled to charge the said owners with any portion of the value of the buildings acquired and shall value the ground as if the same had, when so acquired, been open and unbuilt upon. The portion of the cost of acquisition and expenses allocated on each owner under this section shall form a charge, in terms of the section of this Act whereof the marginal note is "Compensation to form a charge on property," and the provisions of that section shall apply thereto.

75. The town council may erect such buildings as they consider proper upon any ground so acquired, but, as regards the ground required for the said spaces or openings, the said buildings shall not exceed fifteen feet in height, and the town council may sell any ground so acquired, subject to the same restriction. Erection of buildings by town council.

SKY-SIGNS.

76.—(1) It shall not be lawful to erect or fix to, upon or in connexion with any building in the burgh any sky-sign, and it shall not be lawful to retain any existing sky-sign, so erected or fixed, for a longer period than three years after the date when this section comes into force, nor during that period except with the licence of the town council, and, in the event of such licence being granted, then only for such period not exceeding three years from the said date and under and subject to such terms and conditions as shall be therein prescribed: Sky-signs.

Provided that in any of the following cases a licence of the town council under this sub-section shall become void, namely:—

(i) If any addition to any sky-sign be made except for the purpose of making it secure under the direction of the burgh surveyor:

(ii) If any change be made in the sky-sign or any part thereof:

(iii) If the sky-sign or any part thereof fall either through accident, decay or any other cause:

(iv) If any addition or alteration be made to or in the building on, over or to which any sky-sign is placed or attached, if such addition or alteration involves the disturbance of the sky-sign or any part thereof:

(v) If the building, over, on or to which the sky-sign is placed or attached, become unoccupied or be demolished or destroyed:

Provided also that, if any sky-sign be erected or maintained contrary to the provisions of this section or after the licence for the erection, maintenance or retention thereof for any period shall have expired or become void, it shall be lawful for the town council to order the owner of the sky-sign to take down and remove it within a specified time and, in the event of his failing to do so, to authorise the burgh surveyor to remove it, and the expense of the removal and of the proceedings with reference thereto shall be paid by the owner of the sky-sign and may be recovered in any competent court.

(2) Any person acting in contravention of any of the provisions of this section or of the terms and conditions (if any) of any approval, licence or consent, under this section, shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

The expression "sky-sign" shall in this section mean any word, letter, model, sign, device or representation in the nature of an advertisement, announcement or direction, supported on or attached to any post, pole, standard, framework or other support, wholly or in part upon, over or above any building, which, or any part of which, sky-sign shall be visible against the sky from some point

in any street or public way and includes all and every part of any such post, pole, standard, framework or other support. The expression "sky-sign" shall also include any balloon, parachute or other similar device employed wholly or in part for the purposes of any advertisement or announcement on, over or above any building, or on or over any street or public way, but shall not include—

(*a*) Any flagstaff, pole, vane or weathercock, unless adapted or used wholly or in part for the purpose of any advertisement or announcement;

(*b*) Any sign or any board, frame or other contrivance securely fixed to or on the top of the wall or parapet of any building or on the cornice or blocking course of any wall or to the ridge of a roof: Provided that such board, frame or other contrivance be of one continuous face and not open work, and do not extend in height more than three feet above any part of the wall or parapet or ridge to, against or on which it is fixed or supported;

(*c*) Any word, letter, model, sign, device or representation, as aforesaid, relating exclusively to the business of a railway company and placed wholly upon or over any railway, railway station, yard, platform or station approach belonging to a railway company and so placed that it cannot fall into any street or public place.

ADVERTISING SITES.

Licences for advertising sites.

77.—(1) It shall not be lawful to erect any hoarding or similar structure of more than twelve feet in height, to be used wholly or partly for advertising purposes, or to use for advertising purposes any such hoarding or similar structure without the consent of the town council, which consent may, as regards such use, be revoked at any time not less than a year from its date. Provided that any person aggrieved by the refusal or delay for one month after application to grant such consent, or by any revocation thereof, may appeal in terms of section three hundred and thirty-nine of the principal Act.

(2) If any hoarding or other similar structure or any advertisement be erected, retained or continued, contrary to the provisions of this section, the town council may require the owner or occupier of the ground, hoarding or structure, upon which the same is placed or rests, to take down or remove such hoarding, structure or advertisement within a specified time, and, in the event of his failing so to do, the dean of guild court may, on the application of the burgh surveyor, grant warrant to and authorise the burgh surveyor to take down and remove the same at the cost of such owner or occupier, which cost, and the expenses of any proceedings with reference thereto, may be recovered from such owner or occupier in any competent court, or may be imposed on the owner as private improvement expenses, without prejudice to the right of recourse of such owner or occupier against the person responsible for the erection, retention or continuance of such advertisement. Provided always that any such order or proceedings shall not relieve such

owner or occupier from any penalty, for contravention of or failure to comply with the provisions of this Act, which such owner or occupier may have incurred or become liable for.

(3) The word "structure" in this section shall include any moveable structure (except a board or boards personally carried not exceeding in size four feet by two and a half feet) used primarily as an advertisement or an advertising medium.

Hoardings, &c. for advertising sites to be sanctioned by dean of guild court.

78.—(1) In any application to the dean of guild court for warrant for the erection or alteration of any hoarding or structure exceeding twelve feet in height, to be used either wholly or partly for advertising purposes, upon any land or heritage, the dean of guild court shall require evidence either that such hoarding or structure does not require the consent of the town council or that the town council have granted their consent therefor as provided in this Act. The dean of guild court if desired by the applicant, and subject to such conditions as the said court may prescribe, may remit to the burgh surveyor to examine any such application and relative plans, with power to the burgh surveyor on being satisfied therewith to grant authority for the erection of such hoarding or structure, with such modifications and under such conditions, if any, as he may think proper, which authority shall have the same effect in all respects as if a decree had been granted by the dean of guild court, and, in the event of the burgh surveyor refusing to grant such authority, the applicant may appeal to the dean of guild court.

(2) Every owner of and every person using any hoarding or structure for advertising purposes, whether erected before or after the date when this section comes into force, shall keep and maintain the same at all times in proper and safe condition and repair and securely fixed or erected, to the satisfaction of the burgh surveyor, and the dean of guild court may at any time, on the application of the burgh surveyor, pronounce such order, upon the owner of or person using such hoarding or structure, as in the opinion of the dean of guild court may be necessary to render the same secure, or may order such owner or person to remove the same. In the event of such order not being, within a period to be specified therein, implemented to his satisfaction, the dean of guild court may authorise the burgh surveyor to take such steps as the dean of guild court may direct for such purpose or, in case of urgency, to remove the said hoarding or structure, or at the cost of the owner or person using the same. Any proceedings under this section and any order to be pronounced therein may be taken or directed against either the owner of or the person using such hoarding or structure, or both of them.

Seashore adjoining Burgh.

Further powers relating to the foreshore of burgh.

79.—(1) The powers of the town council under section three hundred and three of the principal Act, relating to seashore and strand within a burgh, shall, subject as therein mentioned, extend to the erection of retaining walls or embankments for the purpose

of protecting land from the sea and to the levelling up of the land enclosed by such walls or embankments. Provided that the consent required by the said section shall, as regards any seashore or strand under the management of the Commissioners of Woods, be deemed to include the consent of such Commissioners.

(2) Subject to the rights of the Crown and without prejudice to any existing right of property, no person who does not possess or who fails to exhibit, to any constable or officer of the town council requiring him so to do, a written authority from a proprietor or other person having right to grant the same shall, without the consent of the town council, remove sand or gravel from the foreshore ex adverso of any burgh bounded by the sea, below high-water mark of spring-tide or within fifty yards above said high-water mark. Any person offending against this section shall be liable to a penalty not exceeding forty shillings for each offence.

THEATRES AND PLACES OF PUBLIC RESORT.

Byelaws for theatres and other places of amusement.

80. Section three hundred and ninety-nine of the principal Act shall be repealed and in place thereof the following section shall have effect:—

The town council may from time to time make byelaws for the due licensing of theatres and other places of public amusement and of public billiard and bagatelle rooms, where such rooms are not in premises licensed as an inn and hotel, and such byelaws may provide for the safety and comfort of the public and for the suppression of riotous or disorderly conduct and shall specify the days of the week during which the licence holder shall be entitled to carry on business and the hours of opening and closing, such days and hours not being more restricted than in the case of licensed public houses within the burgh. Such byelaws may provide that any such licence holder contravening the same shall be liable to a penalty not exceeding ten pounds, in addition to any other penalty he may incur under the Burgh Police Acts, and shall in other respects be subject to the same conditions and provisions as byelaws made by the town council under the principal Act or any local Police Act, as the case may be. Section four hundred of the principal Act shall be read and construed as if byelaws made under this section were byelaws and as if the rooms in this section mentioned were places referred to therein.

Billiard rooms, &c. to be licensed.

81. Every person who shall, except in premises duly licensed as an inn and hotel, keep or use or suffer to be kept or used any building or part of a building, for the purpose of public billiard or bagatelle playing, or shall keep a public billiard table or bagatelle board, without having obtained a licence under the immediately preceding section, and every person who has obtained such licence who shall not, during the continuance thereof, intimate the possession of such licence by notice, legibly printed in a conspicuous place on or near the door or on the outside of the

building specified in the licence, shall be liable to a penalty not exceeding five pounds and, in the event of such house or building being continued to be kept or used in contravention of this section after conviction, to a daily penalty of twenty shillings: Provided always that such licences, for each of which a fee shall be payable, not exceeding five shillings, for each billiard or bagatelle table mentioned therein, shall continue in force, in the case of the first licence granted to any person, in each case for any period not exceeding one year and, in the case of subsequent licences, for a year, unless the same be in the meantime cancelled or suspended by the magistrates: Provided further that any person aggrieved by the refusal of, or delay for a period of two months in granting, any such licence may appeal to the sheriff, who may, if he considers that the licence has been unreasonably refused or withheld, grant the same.

Ice-cream shops, &c. to be registered.

82.—(1) Every person who shall keep or suffer to be kept or used or use any house, building, part of a building or other premises as an ice-cream shop or aerated water shop, without being registered in a register to be kept by the town council, who are hereby required to keep a register for that purpose, in which they shall enter the names of applicants without charge, shall be liable to a penalty not exceeding five pounds and, in the event of such premises being continued to be kept or used for such purpose after conviction, to a continuing penalty not exceeding five pounds for every day during which the offence is committed or continued.

(2) Section three hundred and sixteen of the principal Act shall be deemed to confer power on the town council to make byelaws in regard to the hours of opening and closing of premises registered under this section, the hours for business not being more restricted than fifteen hours daily, and the provisions of the principal Act relating to byelaws and the confirmation and enforcement thereof shall apply accordingly.

(3) The town council may at any time authorise the inspection of any house, building, part of a building or other premises used or suspected of being used as an ice-cream shop or aerated water shop, and the occupier, keeper or other person having charge thereof shall give admission thereto at any time to the medical officer, sanitary inspector, constable or any other person authorised in writing by the town council, and every occupier or keeper or other person having the charge of such premises who shall not admit such authorised person, on exhibition of his authority, shall be liable to a penalty not exceeding two pounds.

(4) A reference in this section to the principal Act and section three hundred and sixteen thereof shall, in the case of any burgh named in Schedule II. to the principal Act, be read and construed as a reference to the provisions of the local Act or Acts, conferring power to make byelaws for police purposes and otherwise relating to such byelaws and the confirmation and enforcement thereof.

(5) In this section the expression "ice-cream" shall include any preparation sold under the name of ice-cream or any similar title, whether containing milk or cream or not.

SUPPLY OF MILK FROM DISEASED COWS.

Interpretation of terms.

83. In the sections of this Act under the heading "Supply of milk from diseased cows":—

The expressions "dairy," "dairyman," "district," "local authority" and "medical officer" shall respectively have the same meanings as in the Public Health (Scotland) Act, 1897; and the expression "veterinary surgeon" shall mean a member of the Royal College of Veterinary Surgeons approved by the local authority for the purposes of the said sections.

60 & 61 Vict. c. 38.

Penalty for selling milk of diseased cows.

84.—(1) Every person who knowingly sells or suffers to be sold or used for human consumption, within the burgh, the milk of any cow which is suffering from tuberculosis of the udder shall be liable to a penalty not exceeding ten pounds.

Penalty on failing to isolate diseased cows.

(2) Any person, the milk of the cows in whose dairy is sold or suffered to be sold or used for human consumption within the burgh, who, after becoming aware that any cow in his dairy is suffering from tuberculosis of the udder, keeps or permits to be kept such cow in any field, shed or other premises along with other cows in milk, shall be liable to a penalty not exceeding five pounds.

Obligation to notify cases of tuberculosis.

(3) Every dairyman who supplies milk within the burgh and has in his dairy any cow affected with, or suspected of or exhibiting signs of tuberculosis of the udder shall forthwith give written notice of the fact to the medical officers of the burgh and of the district in which such dairy is situated, stating his name and address and the situation of the dairy or premises where the cow is.

Any dairyman failing to give such notice shall be liable to a penalty not exceeding forty shillings.

Power to take samples of milk.

85. It shall be lawful for the medical officer of the burgh, or any person provided with and, if required, exhibiting the authority in writing of such medical officer, to take within the burgh for examination samples of milk produced or sold or intended for sale within the burgh.

Power to inspect cows and procedure where tuberculosis due to milk within the burgh.

86.—(1) If milk from a dairy situate within the burgh is being sold or suffered to be sold or used within the burgh, the medical officer of the burgh, or any person provided with and, if required, exhibiting, the authority in writing of the medical officer of the burgh, may, if accompanied by a veterinary surgeon, at all reasonable hours enter the dairy and examine the cows kept therein; and, if the medical officer of the burgh or such person has reason to suspect that any cow in the dairy is suffering from tuberculosis of the udder, he may require the cow to be milked in his presence and may take samples of the milk, and the milk from any particular teat shall, if he so requires, be kept separate, and separate samples thereof be furnished.

(2) If the medical officer of the burgh is of opinion that tuberculosis is caused, or is likely to be caused, to persons residing in the burgh from consumption of the milk supplied from a dairy situate within the burgh, or from any cowkept therein, he shall

report thereon to the burgh local authority, and his report shall be accompanied by any report furnished to him by the veterinary surgeon, and the burgh local authority may thereupon serve on the dairyman notice to appear before them within such time, not less than twenty-four hours, as may be specified in the notice, to show cause why an order should not be made requiring him not to supply any milk from such dairy within the burgh until the order has been withdrawn.

(3) If, in their opinion, the dairyman, being a dairyman whose dairy is situated within the burgh, fails to show cause why such an order may not be made as aforesaid, the burgh local authority may make the said order and shall forthwith serve notice of the facts on the Local Government Board for Scotland.

(4) The said order shall be forthwith withdrawn, on the burgh local authority or their medical officer being satisfied that the milk supply has been changed, or that it is not likely to cause tuberculosis to persons residing in the burgh.

Procedure when milk supplied from outside the burgh.

87.—(1) If the medical officer of the burgh has reason to believe that milk from any dairy situate outside the burgh, from which milk is being sold, or suffered to be sold or used, within the burgh, is likely to cause tuberculosis to persons residing within the burgh, the medical officer of the burgh shall forthwith intimate the same to the medical officer of the local authority of the district in which such dairy is situate, and the medical officer of such local authority, or some person provided with and, if required, exhibiting his authority in writing, accompanied by a veterinary surgeon shall be bound forthwith to examine the cows therein and, if the medical officer of such local authority, or person authorised by him as aforesaid, has reason to suspect that any cow in the dairy is suffering from tuberculosis of the udder, he may require the cow to be milked in his presence and may take samples of the milk, and the milk from any particular teat shall, if he so requires, be kept separate, and separate samples thereof be furnished, previous notice of the time of such examination having been given to the burgh local authority, in order that the medical officer of the burgh or a veterinary surgeon may, if they so desire, be present at the examination, and the medical officer of the local authority of such district shall forthwith report the results of the examination, accompanied by the report of the veterinary surgeon (if any), to that local authority, or any committee of that local authority appointed under section fourteen of the Public Health (Scotland) Act, 1897, and shall also furnish a copy of such report to the burgh local authority.

(2) The local authority of such district or any committee of the local authority appointed as aforesaid shall, unless the medical officers of the district and the burgh are both satisfied that there is at the dairy no cow suffering from tuberculosis of the udder, meet forthwith and consider the report or reports, together with any other evidence, that may be submitted by the parties concerned, previous notice of not less than twenty-four hours of their meeting and of the purpose thereof having been given to the dairyman and to the burgh local authority, and shall either make an order

requiring the dairyman not to supply any milk from such dairy, until the order has been withdrawn, or resolve that no such order is necessary, and, in the event of their making an order, shall forthwith serve notice of the facts on the Local Government Board for Scotland and on the burgh local authority.

(3) Where proceedings are taken or an order is made or refused to be made, under this section, by the local authority of a district other than a burgh, it shall not be competent to appeal against the said proceedings or against the said order to the county council.

(4) The local authority may require the dairyman not to supply milk, either within or without the district, and shall give notice of the fact to the local authority of any district within which they believe milk to be supplied from such dairy.

(5) Any such order shall be forthwith withdrawn, on the local authority or their medical officer on their behalf being satisfied that the milk from the dairy is no longer likely to cause tuberculosis to persons, but notice shall be given to the burgh local authority of any proposal to withdraw the order and an opportunity given to them of being heard and submitting evidence, before the order is withdrawn.

Penalties.

88.—(1) If any person, after an order under either of the two preceding sections has been made, supplies any milk or sells it for consumption, in contravention of the order, he shall be liable to a penalty not exceeding five pounds and, if the offence continues, to a further penalty not exceeding forty shillings for every day during which the offence continues.

(2) A dairyman shall not be liable to an action for breach of contract if the breach be due to an order under either of the two preceding sections.

(3) Every dairyman and the persons in his employment shall render such reasonable assistance to the medical officer, or such authorised person or veterinary surgeon as aforesaid, as may be required by such medical officer, person or veterinary surgeon for all or any of the purposes of the two preceding sections, and any person refusing such assistance or obstructing such medical officer, person or veterinary surgeon in carrying out the purposes of such sections shall be liable to a penalty not exceeding five pounds.

(4) It shall be open to the local authority, or any dairyman aggrieved by any resolution or order or withdrawal of order, under either of the two preceding sections to appeal, in a summary manner, to a sheriff having jurisdiction in the district in which the dairy is situate, and the sheriff may either make an order requiring the dairyman to cease from supplying or selling milk, or may vary or rescind or continue any order which has been made, and he may at any time withdraw any order made under either of the two preceding sections. Pending the disposal of any such appeal the order shall remain in force.

Compensation where order made without due cause.

89. If an order is made without due cause or if the local authority unreasonably refuse to withdraw the order, the dairyman shall, if not himself in default, be entitled to recover from the local authority making the order full compensation for any damage

which he has sustained by reason of the making of the order or of the refusal of the local authority to withdraw the order, and the sheriff may determine and state whether an order, the subject of appeal, has been made without due cause, whether the local authority have unreasonably refused to withdraw the order and whether the dairyman has been in fault.

Expenses how to be charged.

60 & 61 Vict. c. 38.

90. All expenses incurred by the local authority in pursuance of any section of this Act under the heading "Supply of milk from diseased cows" shall be chargeable on the public health general assessment, leviable under the Public Health (Scotland) Act, 1897, and the local authority may also charge on the same rate any expenses incurred by them in the application by a veterinary surgeon of the tuberculin or other reasonable test, for the purpose of discovering tuberculosis to any cow whose milk is or was recently being supplied within the district: Provided that no such test shall be applied except with the previous consent of the owner of such cow.

Notice to be given.

91. The town council shall cause to be given public notice of the effect of the provisions of this Act, relating to supply of milk from diseased cows, by advertisement in a newspaper circulating in the burgh and by handbills and otherwise in such manner as they think sufficient, and the said provisions shall come into operation at such time, not being less than one month after the first publication of such advertisement as aforesaid, as the town council may fix.

Mode of recovering penalties.

92. Penalties imposed by any section of this Act under the heading "Supply of milk from diseased cows" shall be recoverable in any court having summary jurisdiction where the dairy in question is situated, at the instance of the local authority or of any public prosecutor in such court.

Byelaws.

Power to make byelaws.

93. The town council may, from time to time, make byelaws and repeal, alter or amend any byelaws so made, for any of the purposes after-mentioned, viz.:—

(1) The drainage of the subsoil of sites for and the prevention of dampness in buildings intended for human use or habitation:

(2) The strength and stability of the walls, joisting and principal timber and iron work of buildings:

(3) The structure and form of walls, foundations, floors, hearths, staircases, stairs, stair-railings, passages, roofs and chimneys of buildings:

(4) Projections over streets, ornaments upon buildings overhanging the walls of such buildings, recesses in walls and openings in party and cross walls:

(5) The erection, stability, maintenance, inspection and removal of scaffolding, cranes, barricades, hoardings, platforms and balconies, and the dimensions, position and use of the same:

(6) The regulation, control and use of advertising hoardings and similar structures exceeding twelve feet in height:

(7) The erection of walls or other fences forming divisions between courts, back-courts and areas:

(8) Provision against the risk of fire in buildings and for means of escape from fire:

(9) The ventilation of and admission of light to buildings:

(10) The construction and arrangement of the drainage of buildings and of soil pipes and waste pipes, and the construction and position of water-closets, earth-closets, privies, ashpits, cesspools, dungsteads, slop sinks and rainwater pipes and rhones:

(11) The level, construction, causewaying and paving of streets and of the footways thereof, and provision for drainage of surface water therefrom, and the provision of lanes or other secondary means of access, where necessary for the purpose of removing refuse:

(12) The protection of trees, shrubbery or ornamental or pleasure grounds in or adjacent to streets:

(13) The due inspection of buildings in course of erection or structural alteration, the examination of the drains thereof and the pulling down, alteration or amendment of any work which has been carried out in contravention of lawful requirements and which the town council are entitled to pull down, alter or amend.

All such byelaws shall be enforceable by such penalties as may be prescribed therein, not exceeding five pounds for each contravention, and in other respects shall be subject to the same conditions and provisions as byelaws made by the town council under the principal Act or any local Building or Police Act, as the case may be.

The said byelaws shall be consistent with the law of Scotland and with any provisions, as to the above matters, contained in the Burgh Police Acts (or local Building or Police Act, as the case may be), the Public Health (Scotland) Act, 1897, or any other public general Act, but may alter or supplement any of the building rules contained in Schedule IV. of the principal Act.

60 & 61 Vict. c. 38.

PART III.—(MISCELLANEOUS AND SUPPLEMENTAL.)

Amendment of Local Government (Scotland) Act, 1894.

94. Subsection seven of section nineteen of the Local Government (Scotland) Act, 1894, shall be amended by the insertion after the word "burghal" therein of the words "or comprising a police burgh or part of a police burgh," and the said section shall be read and construed as hereby amended.

Requisition for and payment of cost of policing burghs.

95. In order to remove doubts which have arisen as to the method of recovery of the cost of policing royal and parliamentary burghs, which are policed by the county, it is hereby provided that the county council, annually and not later than the month of October in each year, shall cause a requisition to be sent to the town council of any royal or parliamentary burgh so policed, requiring them to pay the cost of such policing; such cost to be

ascertained in terms of the Local Government (Scotland) Act, 1889, and the principal Act, or, in the case of a burgh being a police district formed under the Police (Scotland) Act, 1857, in the manner provided by that Act as read with the said Acts; and the town council shall, on or before the first day of January next ensuing, pay to the county council the sum so requisitioned for without any deduction whatever.

Adjustment with county in case of new burghs or extension of boundaries.

96. On the formation of any new burgh or extension of the boundaries of any existing burgh, section fifty of the Local Government (Scotland) Act, 1889, relating to the adjustment of property and liabilities consequential on an alteration of boundaries, shall apply as if in lieu of that Act, and the Boundary Commissioners, the Burgh Police Acts and the sheriff (not being a sheriff substitute) were respectively mentioned therein: Provided that nothing herein contained shall require the sheriff to entertain any application, made after the expiry of one year from the date when such formation or extension takes effect.

County council may adopt certain sections of Act.

97. A county council may, at a meeting called after due notice, by resolution adopt the sections of this Act whereof the marginal notes are respectively "Manufacture and sale of ice cream" and "Ice-cream shops, &c. to be registered," or either of such sections, and, after a date to be specified in the resolution, the adopted section or sections shall have effect throughout the county, with the substitution of "county" for "burgh," of "county council" for "town council" and of the Local Government (Scotland) Act, 1889, and section fifty-seven thereof for the principal Act and section three hundred and sixteen thereof.

In this section the expression "county" shall mean a county excluding any burgh or police burgh situate therein.

Parts I. and II. how to apply.

98.—(1) Part I. of this Act shall, subject as herein-after provided, apply to every burgh to which the principal Act is applicable.

(2) Part II. of this Act shall apply to any such burgh only if and so far as the town council shall resolve, by special order as defined in the principal Act, to adopt Part II. of this Act, in whole or part, and a town council may by such resolution adopt any section or sections of Part II. Any such resolution by special order shall be intimated to the Secretary for Scotland and published in the Edinburgh Gazette and shall come into force, after such intimation and publication, upon a date to be named in the resolution.

(3) Parts I. and II. of this Act shall apply to any burgh named in Schedule II. of the principal Act only to the extent to which sections of such Parts, or either of them, may be adopted by the town council of such burgh, in the manner and to the effect provided by section fifteen of the principal Act: Provided that, in so far as the principal Act has, at the commencement of this Act, been already adopted by any of the said burghs or, in terms of the Local Government (Scotland) Act, 1894, by a county council or a district committee, no amendment made in the principal Act

by this Act shall apply to the portions so adopted, unless the town or county council or district committee shall resolve to adopt such amendment.

(4) Provided always that a town council adopting any of the provisions of the Burgh Police Acts, referred to in the section of this Act whereof the marginal note is "Power to relax certain statutory rules," shall also adopt that section, and a town council adopting any section of this Act under the heading "Register of streets", "Hollow squares" or "Supply of milk from diseased cows" shall adopt the whole of the sections under such heading.

(5) After the adoption of any provisions of this Act, the provisions adopted shall prevail over the corresponding provisions (if any) in any local Act applying to the burgh.

(6) Without prejudice to any special powers conferred by Act of Parliament upon the trustees of the Clyde Navigation, the provisions of this Act shall not, except with respect to streets, sewers, drains and sanitary provisions, apply to the harbour, docks or wharves of the said trustees, or to buildings connected with such harbour, docks or wharves other than buildings used for the purpose of human habitation, so far as they are so used.

"Streets" in this subsection shall not include any road forming part of any harbour, dock or wharf of the said trustees, or any road formed or laid out by the said trustees and used as an approach to such harbour or dock or to land used for Clyde navigation purposes and wholly maintained by said trustees, or any private street or road, the lands abutting on which and having right of access thereto belong wholly to the said trustees.

(7) Nothing in this Act contained shall affect or prejudice the provisions of any Act relating to the harbour and docks of Leith, Aberdeen, Dundee or Greenock.

(8) Nothing in this Act contained shall alter, prejudice or affect the constitution rights, powers or privileges or limit the jurisdiction of the dean of guild courts of Edinburgh, Glasgow and Dundee, or confer on or enable the town council of any of said burghs to exercise any power or jurisdiction vested in the dean of guild court thereof at the commencement of this Act, or any power in relation to or affecting the said court or the jurisdiction thereof not then possessed by the town council.

(9) Sections twenty-three to forty-three, inclusive, sections sixty-two to seventy-five, inclusive, and subdivision (*l*) of sub-section two of section one hundred and four of this Act shall not apply to the railways or stations of any railway company or buildings connected therewith other than dwelling-houses.

Saving of local Acts by special order.

99. Notwithstanding anything in this Act contained, it shall be in the power of the town council of any burgh to which a local Act applies, by special order as defined in the principal Act, to resolve, at any time after the passing and before the commencement of this Act, that any sections or subsections of Part I. of this Act specified in such special order shall not be applicable to such burgh and that in lieu thereof the corresponding sections or subsections of such local Act (which sections or subsections shall be specified in

the resolution) shall remain in force within the burgh, but, saving as aforesaid, the provisions of Part I. of this Act shall prevail over the corresponding provisions of any such local Act. Any such resolution by special order shall be forthwith intimated to the Secretary for Scotland and published in the Edinburgh Gazette and shall come into force at the date of the commencement of this Act.

Exemption of Crown property.

100. Without prejudice to any existing right of His Majesty, there shall be exempted from the provisions of the principal Act and this Act every building, structure or work vested in or in the occupation of His Majesty, either beneficially or as part of the hereditary revenues of the Crown, or in trust for the public service or for public services, also any building, structure or work vested in or in the occupation of any department of His Majesty's Government for public purposes or for the public service.

Burgh of Coatbridge.

101. In every Act passed after the commencement of this Act, unless the contrary intention appears, a reference to a royal burgh shall be deemed to include a reference to the burgh of Coatbridge.

Commencement of Act.

102. This Act shall, except as otherwise provided, commence on the fifteenth day of May one thousand nine hundred and four.

Definitions.

103. Expressions used in this Act shall, unless there be something in the subject or context repugnant to such construction, have the same meaning as in the principal Act: Provided that, unless there be something in the subject or context repugnant to such construction, the expression—

(1) "Building" shall, in the principal Act and this Act, include any structure or erection of what kind or nature soever, whether temporary or permanent, and every part thereof, but shall not include the hoardings mentioned in section one hundred and eighty-seven of the principal Act, or any hoarding or similar structure to be used only for advertising purposes not exceeding twelve feet in height:

(2) "Lane" shall, in the principal Act and this Act, mean any street of fifteen feet or under in width which is used wholly or mainly for access to stables or other buildings not abutting upon a street of greater width, or as a back access to dwelling-houses or other buildings facing a street of greater width:

(3) "Part of a street" shall, in the principal Act and this Act, mean any area within a street, whether including the whole length or width of the street or not:

(4) "Public building" shall, in the principal Act and this Act, mean a building used or constructed, adapted or altered to be used as a church, chapel or other place of public worship, or as a school, college or place of instruction (not being merely a dwelling-house so used), or as a hospital, poor-house, public theatre, public music-hall, public hall, public concert room, public ball-room, public lecture-room, public library or public exhibition room, or as a public place of assembly, or a building used or constructed or adapted to be used for any other public purpose, and shall include a building used or constructed or

adapted to be used as a hotel, lodging-house, home, refuge or shelter where such building contains space extending to more than two hundred and fifty thousand cubic feet, or has sleeping accommodation for more than one hundred persons:

(5) "Public street" shall, in the principal Act and this Act, mean (1) any street which has been or shall at any time hereafter be taken over as a public street, under any general or local Police Act, by the town council or commissioners; (2) any highway within the meaning of the Roads and Bridges (Scotland) Act, 1878, vested in the town council; (3) any road or street which has in any other way become or shall at any time hereafter become vested in or maintainable by the town council, and (4) any street entered as a public street in the register of streets made up under this Act:

(6) "Private street" shall, in the principal Act and in this Act, mean any street other than a public street:

(7) "Drain" shall, in sections two hundred and forty-one to two hundred and forty-five, inclusive, of the principal Act, include all soil pipes and all other pipes, traps and apparatus used for or in connexion with the removal of sewage or waste water:

(8) "Burgh Police Acts" shall, in this Act, mean the Burgh Police (Scotland) Acts, 1892 to 1903, and a reference in this Act to the said Acts or to the principal Act shall be deemed to include a reference to any Act explaining or amending the same:

(9) "Centre line," as applied to any street, shall, in this Act, mean the actual or approximate centre line, as sanctioned by the dean of guild court or town council or specified in the register of streets:

(10) "Dean of guild court" shall, in this Act, as regards burghs where there is no dean of guild court, mean the town council:

(11) "Existing" shall, in this Act, mean existing either at the commencement of this Act or at the date when the provision of this Act, in which the expression occurs, comes into force upon adoption in a burgh, as the case may be:

(12) "Guild offence" shall, in this Act, mean and include any act or omission, to which a penalty is attached by this or any other Act or any byelaw made thereunder, connected with—

(*a*) The laying out, forming and constructing, occupying for building purposes, or altering, closing or breaking up any street or part of a street;

(*b*) The erecting, taking down, altering, adding to, re-erecting or repairing any building;

(*c*) The form, construction, sanitary requirements or maintenance of any building;

(*d*) The area for lighting and ventilation to be provided for any building;

(*e*) The occupation as sleeping apartments of any part of a building;

(*f*) The erecting, taking down, altering, adding to, lighting, fencing or using any hoarding, staging, scaffolding, barricade, platform, balcony, crane or sky-sign ;
(*g*) The fencing of any ground ;
(*h*) Projections against or in front of or ornaments upon any building ;
(*i*) Excavations in any street ;
(*j*) The construction or maintenance of sewers, branch drains, soil pipes, water-closets, earth-closets, privies, ashpits, cesspools and dungsteads, and provision for the removal of roof and surface water ;
(*k*) The building rules enacted by the principal Act ;
(*l*) The submission of any plans to the town council, dean of guild court or burgh surveyor ;
(*m*) Any order issued by the dean of guild court, the town council acting as a dean of guild court or otherwise, or the burgh surveyor, in relation to the laying out, formation or alteration of streets or construction or alteration of buildings :

(13) "Register of streets" shall, in this Act, mean the register of streets therein provided for.

Portions of principal Act repealed or amended.

104.—(1) The sections or portions of sections of the principal Act specified in the first column of the Schedule to this Act are hereby repealed, and the sections of the principal Act specified in the second column of the said Schedule are hereby amended to the extent therein specified.

(2) In addition to the scheduled amendments, the principal Act shall be amended or extended in the following particulars :—

(*a*) Every alteration of the boundary of a burgh under section eleven or section twelve of the principal Act shall be forthwith intimated by the town clerk to the Secretary for Scotland :
(*b*) Section one hundred and ten shall extend to lavatories, waiting rooms and other similar accommodation, and any constructions under said section may be in whole or part below the street level :

Carriageway and footways of public streets to be under control of council. 54 & 55 Vict. c. 32.

(*c*) For section one hundred and twenty-eight shall be substituted the following section :—

"Subject to the provisions of the Roads and Streets in Police Burghs (Scotland) Act, 1891, and of the Burgh Police Acts, the town council shall have the sole charge and control of the carriageway of all the public streets, within the burgh and the footways thereof, and also of all public footpaths, and all such public streets, footways and footpaths are, for the purposes of the said Acts and of such charge and control, hereby vested in the town council accordingly."

Private streets not properly formed.

(*d*) For section one hundred and thirty-three shall be substituted the following section :—

"Where any private street or part of such street has not, together with the footways thereof, been sufficiently

levelled, paved, causewayed or macadamised and flagged to the satisfaction of the council, it shall be lawful for the council to cause any such street or part thereof and the footways, to be freed from obstructions and to be properly levelled, paved, causewayed or macadamised, and flagged and channelled in such way and with such materials as to them shall seem most expedient and completed with fences, posts, crossings, kerbstones and gutters and street gratings or gullies and drains for carrying off the surface water and thereafter to be maintained, all to the satisfaction of the council."

(*e*) For section one hundred and thirty-four shall be substituted the following section :—

Private streets may be declared vested in council.

"If any private street or part thereof, together with the footways thereof, shall at any time be made, paved, causewayed or macadamised and flagged and otherwise completed as aforesaid and put in good order and condition, to the satisfaction of the council, then, and on application of any one or more of the owners of premises fronting or abutting upon such street or part thereof, or of the superior or owner of the ground on which such street or part thereof has been formed, it shall be lawful for the council to declare, and if such street or part thereof has been paved and put in good order and condition as herein-before mentioned, and if the owners of one-half or more of the frontage of such street or part concur in the application, the council shall declare the same to be vested in the council, and it shall be thenceforward vested in and maintained by the council."

(*f*) For section one hundred and thirty-eight shall be substituted the following section :—

In certain cases proportion of expenses to be fixed by council.

"Where one or more private streets or parts thereof serve for or lead to various premises (whether abutting on such street or streets or any part thereof or not) adjoining the same, or where, in any other circumstances, in the judgment of the council, the payment of the costs, charges and expenses as aforesaid should not be regulated in proportion to the frontage as above provided, the council shall fix and determine the premises (whether abutting on such street or streets or any part thereof or not), the owners of which shall be liable for such costs, charges and expenses, and the proportions leviable from each owner, as they shall consider, under all the circumstances of the case, to be just, and their determination shall be final, and the whole of such costs, charges and expenses shall be paid by such owners and shall be recoverable as private improvement expenses."

(*g*) The powers to acquire lands and premises, conferred on a town council under section one hundred and fifty-four, shall

extend to the purpose of extending, altering or rebuilding any existing bridge, and any expenditure, incurred under the said section for the said purpose or for the purpose of widening any street, shall be charged either against the assessment therein mentioned or against the assessment imposed for the purposes of the Roads and Bridges (Scotland) Act, 1878, or be divided between such assessments either in equal shares or otherwise, all as the town council may determine, and the cost of any operations under the section may be defrayed from money borrowed upon the security of the said rate or rates: 41 & 42 Vict. c. 51.

(*h*) Section one hundred and fifty-eight (relating to the setting back of houses or buildings) shall extend to every case where any new house or building is proposed to be erected:

(*i*) Section one hundred and sixty-six (relating to the lodging of plans and petitions with the town clerk) shall extend to every person who proposes to alter, add to or take down, in whole or part, or to re-erect or restore, after destruction by fire or otherwise, the structure of any house or building, or to make any excavation in connexion with such operations or with any operation mentioned in the said section, and a copy of every petition presented under the section shall be served upon the master of works or surveyor of the burgh for the public interest, and also upon the immediately conterminous proprietors, and on such other persons as the town council may direct:

(*k*) The town council shall, before giving their decision upon any petition lodged under section one hundred and sixty-six, give parties interested an opportunity of being heard and of leading evidence, and in dealing with such petition the town council shall have the same powers and jurisdiction, and the procedure shall be the same, as is provided by the principal Act and this Act with regard to any dean of guild court to be established thereunder:

(*l*) For section one hundred and sixty-eight shall be substituted the following section:—

Regulating existing buildings for places of public meetings, &c.

"The council shall cause every existing building used or proposed to be used as a place of public amusement or entertainment, or for holding large numbers of people for any purpose whatsoever, to be inspected, and shall, after hearing the persons interested, direct such means to be taken for providing proper means of access to and exit from such buildings, and for protection from fire and other dangers to the public, as to the council shall seem fit. Any person who refuses access to the council, or anyone appointed by them to any such building, shall be liable to a penalty not exceeding five pounds for each day during which such refusal continues, and any owner who fails to provide the means directed by the council, within the period specified by them, shall be liable to a penalty not exceeding twenty pounds for each day after

the expiry of such period on which the building is used as aforesaid."

The dean of guild court on the application of the council may interdict, prevent and stop the use of any such building, unless and until the means directed by the council as aforesaid have been provided:

Provided that, in any case where any such order or interdict has been granted and an appeal taken, such order or interdict shall not be operative until the whole cause has been decided on the merits by the Court of Session, and the Court of Session shall have power, in any case where they may think proper, to ordain the appellant to find caution as a condition of being allowed to insist on the appeal.

(*m*) In burghs where there is a dean of guild court, all applications under section one hundred and eighty-seven (relating to hoardings, fences and platforms to be set up during building operations) shall be made to such court, and the said court shall have power to grant the necessary authority, give directions for the removal of fences, hoardings and platforms and fix the charge for the occupation of ground in the said section referred to:

(*n*) For section two hundred and thirty-eight shall be substituted the following section:—

Council may construct drains from houses, charging owners, &c. with the expense.

"If any house or building and its pertinents be at any time not drained by a sufficient drain or pipe communicating with some sewer or with the sea, to the satisfaction of the council, and if there shall be such means of drainage within one hundred yards of any part of such house or building, the council may require the owner of such house or building to construct or lay therefrom a covered branch drain or pipe of such materials, of such size, at such level and with such fall as they think necessary for the drainage of such house or building, its areas, waterclosets and offices:

"If there shall be no such means of drainage within such distance, the town council may require the owner to construct or lay from such house or building a covered branch drain or pipe, as aforesaid, and lead the same into a covered cesspool or other place to be constructed by such owner, and such drain or pipe and cesspool shall be subject to the conditions as to construction and repair specified in section two hundred and thirty-nine:

The town council may charge and recover from the owner of any branch drain a sum not exceeding ten shillings for the supervision of each connexion thereof with any sewer vested in them:

"If any owner fail to commence the construction and laying of any drain or pipe, or the construction of any cesspool or other place required under this section within three weeks from the date of requisition, or to complete the

same within six weeks of that date, or within such longer periods as the council may in their requisition determine, the council may themselves construct and lay, construct or complete the same:

"All expenses incurred by the council under this clause shall be recoverable from the owner of such house or building as private improvement expenses":

(*o*) For section two hundred and thirty-nine shall be substituted the following section:—

No house to be hereafter built without drains being constructed.

"No house or building shall be built upon a lower level than will allow the drainage of the wash and refuse thereof to fall into some sewer belonging to the council, either then existing or marked out upon the map herein directed to be made by them; and if there be such means of drainage existing within one hundred yards of such intended house or building, the council may require the owner of such house or building to cause a branch drain, leading thereunto from the intended site of such house or building, to be made of such materials, of such size, at such level and with such fall as they think fit; or if there be no such means of drainage within one hundred yards of any part of the said intended site of such house or building, then such drain shall be made so as to lead into such covered cesspool or other place as the council direct, not being under any dwelling-house or other occupied building, and shall be constructed and kept in complete repair to the satisfaction of the council, so as effectually to prevent any leakage or effluvium therefrom until such sewer as aforesaid is made by the council, when they shall make a drain to communicate withsuch new made sewer, and shall demolish and fill up any such cesspool; and if any owner fails to commence the construction or repair of such branch drain and, where necessary, of such cesspool or other place within three weeks from the date of such requisition, or to complete the same within six weeks of that date, or within such longer periods as the council may in their requisition determine, the council may themselves construct or repair or complete the construction or repair of such branch drain and, where necessary, of such cesspool or other place. All expenses incurred by the council under this section shall be recoverable from the owner of such house or building as private improvement expenses:

"No cesspool shall be constructed within one hundred feet of any dwelling-house or within two hundred feet of any well or spring of water, without the consent in writing of the town council":

(*p*) Section two hundred and forty-six (relating to the provision of water-closets) shall be amended by the addition at the end thereof of the following words "and in such case the council "may, subject to the aforesaid conditions, require a sufficient "earth closet to be provided":

(*q*) Section three hundred and seven (relating to lands and grounds for public recreation) shall be amended by the addition at the end thereof of the following words: "Provided that "the expression 'pleasure ground' in the last-mentioned "Act shall be deemed to include an open space for rest or "recreation":

(*r*) The words occurring in section three hundred and fifteen "for a period not exceeding twenty years," limiting the period during which the general improvement assessment may be applied for the erection of a public hall and other purposes, shall be repealed, and any expenditure incurred under the said section, which the council may resolve not to defray from the general improvement assessment, shall be defrayed from the burgh general assessment:

(*s*) Section three hundred and thirty-nine, providing an appeal from proceedings of a town council, shall be amended by the addition at the end thereof of the following words: "except as "after mentioned: Provided that any party dissatisfied with "the judgment of the sheriff, as erroneous in point of law, "may appeal thereagainst to the Court of Session in terms "and subject to the provisions of the Summary Prosecutions "Appeals (Scotland) Act, 1875, provided that the limit of "time for such appeal shall be six days instead of three days, "as provided by the last-cited Act":

38 & 39 Vict. c. 62.

Without prejudice to the general construction of this Act as one Act with the principal Act, it is hereby expressly provided that any order, resolution, deliverance or act of a town council (whether acting as such or performing the functions of a dean of guild court), made or done under any of the provisions of this Act, whether originally applicable to such town council or adopted by them, shall be deemed to be an order, resolution, deliverance or act within the meaning of section three hundred and thirty-nine of the principal Act, and that section shall apply accordingly.

(*t*) In section three hundred and sixty (relating to the cost of the maintenance and repair of foot pavements) the words "shall be defrayed from any rate applicable to the mainte- "nance of highways or streets" shall be substituted for the words "shall form part of the burgh general assessment, and "such assessment shall be recoverable in the same manner as "the burgh general assessment is authorised to be recovered:"

(*u*) Section three hundred and sixty-five shall be amended by the addition, at the end thereof, of the following words:—

> Where different portions of said premises belong to two or more separate owners, the said expenses shall (without prejudice to any mutual rights of relief they may have under their title deeds or otherwise) be charged on such owners in proportion to the rental or valuation of their respective interests, as appearing from the valuation roll. The town council shall be entitled to charge, as part of any expenses referred to in this section, the interest accrued on temporary loans for defraying the same and

a reasonable sum in respect of the designing, measuring, contracting for and superintending the work:

(*v*) The words, "three weeks" shall be substituted for the words "six weeks", occurring in section three hundred and seventy-four and determining the period of public notification of the intention of a council to borrow money:

(*w*) For section three hundred and seventy-six shall be substituted the following section:—

"All bonds for moneys to be borrowed as aforesaid may be in the form and tenor following, videlicet,— As to bonds to be granted.

"Number [*here state the number*].

"By virtue of the [*cite the Act under which the money is borrowed*], we, the provost magistrates and councillors of the burgh of [*insert name*], in consideration of the sum of [*insert the sum in words*], instantly advanced and paid to us for the purposes of the said Act, by *C.D.* of *E.*, do hereby bind and oblige the said burgh, out of the first and readiest of the moneys to be raised under the annual assessments by the said Act authorised to be imposed and levied, and designated the assessment [or rate *as the case may be*], to pay at the term of [*insert term of payment*] to the said *C.D.*, his executors or assignees the said sum of [*state the sum*], and also the interest thereof at the rate of [*insert the rate of interest*] per centum per annum from the date hereof, at the terms of Whitsunday and Martinmas in each year, till the said sum is paid; and for the further security of the said *C.D.*, we do hereby assign to him, his executors or assignees such proportion of the said moneys, to be raised under the said annual assessment, [or rate], as shall be equivalent to the said sum now paid to us, and the interest thereon as aforesaid from the date hereof to the term of payment; and we consent to the registration hereof for preservation and execution.—In witness whereof [*insert testing clause*].

"And, till repayment, such bonds respectively shall form a lien on the rates and assessments assigned by such bond, and shall entitle the creditor under the same to recover the contents thereof from the council and their officers out of the first and readiest of such rates and assessments."

Bonds for moneys to be borrowed by a town council, under any Act in which no other form of bond is prescribed, may be in the form and tenor provided by section three hundred and seventy-six, and all bonds to which the said section is applicable shall be granted and signed in terms of section nine of the Town Councils (Scotland) Act, 1900. 63 & 64 Vict. c. 49.

(*x*) For subsection fifty-three of section three hundred and eighty-one, providing penalties for police offences, shall be substituted the following subsection:—

"(53) Stands, sits, loiters or lies to the obstruction or annoyance of the residents or passengers on the footway or street or any close, stair, entry or doorway"

(*y*) After subsection fifty-three of the last-mentioned section the following subsections shall be inserted :—

See 1 & 2 Will. 4. c. 43. s. 9.

"(54) Causes any tree, timber, beam, girder, stone or other heavy article to be drawn or hauled otherwise than upon a wheeled vehicle."

"(55) Throws or lays down glass, pottery, nails, wire, thorns or other articles having sharp edges or points."

(3) The sections and parts of sections and words for which substitutions are provided by this section are hereby repealed.

SCHEDULE to which this Act refers.

Section 104.

PORTIONS OF THE BURGH POLICE (SCOTLAND) ACT, 1892, REPEALED OR AMENDED.

COLUMN NO. I. Sections repealed, and extent of repeal.		COLUMN NO. II. Sections amended and extent of amendment.	
Sec. 4 -	The whole of sub-section (3).	—	—
Sec. 4 -	Subsection (7)—after the word "absence" to the end of the subsection.	Sec. 4 -	Subsection (7)—insert after "absence" the words "the acting Chief Magistrate."
Sec. 4 -	Subsection (8)—the words "under the provisions of "this Act."	—	—
Sec. 4 -	Subsection (14)—the words "under the Municipal "Elections Amendment "(Scotland) Act, 1881."	—	—
		Sec. 11 -	After the words "other burgh" insert "unless with consent of the town "council of such other burgh expressed "after resolution by special order."
		Sec. 15 -	Last paragraph after the word "burgh" insert "and shall have effect as if they "were provisions of and enacted in the "Local Police Acts, and such Acts and "references therein shall be construed "accordingly."
Sec. 55 -	Subsection (5)—the words from and including "The "titles" to the end of the subsection.	—	—
Sec. 56 -	The whole section.	—	—
Sec. 58 -	After the word "authorised" to the end of the section.	—	—
Sec. 77 -	Subsection (3)—from the beginning to "Acts."	—	—
Sec. 105 -	The words "common "courts" where they occur together. The words "as they may con- "sider to be insufficiently "lighted."	Sec. 105 -	Insert instead of the words "common courts" the words "common stairs."
		Sec. 117 -	After "common passages" insert "and "walls and roofs of closes and walls of "open courts."
		Sec. 129 -	Insert the word "public" before "streets" wherever it occurs.

Column No. I. Sections repealed, and extent of repeal.		Column No. II. Sections amended and extent of amendment.	
Sec. 129 -	The words "other than "private streets."	Sec. 129 -	Insert instead of the words repealed "with "the exception of the footways and kerbs "thereof."
		Sec. 135 -	After the word "gullies" insert "and drains."
Sec. 136 -	The whole section.	—	—
		Sec. 137 -	After the word "gullies" insert "and "drains for carrying off the surface "water."
		Sec. 137 -	After the words "each street" insert "or "each part of a street dealt with, in pro- "portion to the length of their frontage "or abutment."
Sec. 146 -	The whole section.	—	—
Sec. 147 -	The whole section.	—	—
Sec. 148 -	The whole section.	—	—
Sec. 149 -	The words "such streets." -	Sec. 149 -	Insert instead of the words repealed the words "new street."
Sec. 150 -	The words "granting such "application."	Sec. 150 -	Insert instead of the words repealed the words "such agreement."
Sec. 153 -	The whole section.	—	—
Sec. 164 -	The words "for the latter "purpose," and the word "such" where fourth occurring.	Sec. 164 -	Insert instead of the words first repealed, "the owner of every land or heritage "shall prevent any surface water there- "from from flowing over and upon any "street; and so far as may be necessary "for the said purposes."
Sec. 169 -	The whole section.	—	—
Sec. 200 -	The words "such requisi- "tion not being complied "with."	Sec. 200 -	Insert instead of the words repealed, "the "owner failing to commence any opera- "tions ordered within one month of "the date of the said notice, or of his "thereafter failing to proceed with the "said operations continuously, and com- "plete them within the period specified "therein."
Sec. 278 -	The words "and they may "also license such "slaughter-houses as they "may from time to time "think proper for "slaughtering cattle "within the burgh."	Sec. 278 -	Instead of the words repealed insert "Pro- "vided that any town council which is "refused by a local authority a licence "under section thirty-three of the Public "Health (Scotland) Act, 1897, for pre- "mises for a slaughter-house without "the burgh may appeal to the Local "Government Board for Scotland against "such refusal, and the decision of the "Board shall be final."
Sec. 279 -	The whole section.	—	—
		Sec. 280 -	After the word "licensed" insert under the "Public Health (Scotland) Act, "1897."
Sec. 281 -	The word "licensing."	—	—
		Sec. 282 -	After the word "granted" where first oc- curring insert "under the Public Health "(Scotland) Act, 1897."
Sec. 282 -	The words "from and when- "ever" to end of section.	—	—
		Sec. 284 -	After the word "sum" insert "having "regard to the cost of construction, "maintenance and working thereof." At end of section "or is provided by a "local authority other than a town "council, and in such last-mentioned "case notice of the proposal to provide "a slaughter-house shall be given by "such local authority to the town "council of the burgh, and the town "council may within one month after "receipt of such notice appeal to the "Local Government Board for Scotland "against such proposal, and the decision "of the Board shall be final."

COLUMN No. I. Sections repealed, and extent of repeal.		COLUMN No. II. Sections amended and extent of amendment.	
Sec. 285 -	The words "for the "slaughtering of horses "or as a place of deposit "for the carcases of the "animals."	Sec. 285 -	Instead of the words repealed, insert "as "a place of deposit for the carcases of "horses."
		Sec. 296 -	Insert at beginning of section—"When re- "quested by the council to do so, or on "receipt of a special written report by "the firemaster that suspicion of wilful "fire-raising exists."
		Sec. 316 -	Subsection A (3)—after the word "gymna- "siums" insert "libraries and reading- "rooms not under the Public Libraries "(Scotland) Acts, 1887 and 1894."
Sec. 316B, sub-sec. 8.	The words from "and also" to end of subsection.	—	—
Sec. 365 -	The words "the said ex- "penses."	Sec. 365 -	Instead of the words repealed, insert "the "expenses thereby incurred by them."
		Sec. 381 -	Subsection (13)—at end add "or foot- bridge."
Sec. 429 -	The whole section.	—	—
Sch. IV. -	The last paragraph of Rule 18.	—	—

CHAPTER 34.

An Act to amend the Town Councils (Scotland) Act, 1900. [14th August 1903.]

WHEREAS it is expedient to amend the Town Councils (Scotland) Act, 1900:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title and extent. 63 & 64 Vict. c. 49.

1. This Act may be cited as the Town Councils (Scotland) Act, 1903; and this Act and the Town Councils (Scotland) Act, 1900 (herein-after called the principal Act), may be cited together as the Town Councils (Scotland) Acts, 1900 and 1903. This Act shall apply to Scotland only.

Entry of certain electors in supplementary list.

2. All persons who in respect of the ownership or occupancy of premises, within the municipal boundary of any burgh not returning or contributing to return a member or members to Parliament, possess the necessary qualification for voting in the election of a member of Parliament, but whose names are entered in the parliamentary register of the county in respect only of premises outwith the burgh, shall, unless otherwise disqualified, be electors of the burgh for the purposes of the principal Act, and the names of all such persons shall be entered in the supplementary list.

Existing councillors disqualified for election.

3. It shall not be competent to nominate or elect as councillor a person holding, at the time of nomination, the office of councillor of the same burgh, unless he falls to retire at the date of the election in question, or has intimated his resignation of office to take effect at or prior to the said date.

Sheriffs, &c to be electors.

4. Section twenty-three of the principal Act shall be amended by the insertion of the words "sheriff-substitutes, sheriff-clerks, sheriff-clerk deputes," after the word "peers," and by the insertion of the words "(otherwise than from rank, office or sex)" after the word "disability."

Acceptance and rejection of nomination papers.

5. Section forty-seven of the principal Act is hereby repealed, and in place thereof the following enactment shall be substituted:—

If the names of the person nominated by any nomination paper and his proposers and assenters appear in the municipal register of a burgh without any disqualifying mark (the proposers and assenters, if the burgh is divided into wards, so appearing in respect of premises in the ward to which the nomination applies) and if the nomination paper is in or as nearly as may be in the form and contains the particulars prescribed by Schedule Four of the principal Act, the town clerk shall receive the nomination paper and deal with it as valid, but otherwise he shall reject the nomination paper, and the same shall be null and void.

Tenure of office of certain town clerks.

6. In the case of parliamentary burghs, where the office of town clerk is not regulated by local Act, the tenure of office of the present and future town clerks shall be during the pleasure of the town council, provided that the town clerk shall not be removed from office, except by a vote passed in manner prescribed by section seventy-eight of the principal Act; and the words "and parliamentary burghs" occurring in the said section are hereby repealed.

Date of election in fishing burghs.

7. In any burgh where many electors are engaged in the fishing industry and often absent from home, in pursuance of their occupation, at the statutory date of the annual election of councillors, the town council may petition the Secretary for Scotland to determine that the annual retiral and election of councillors shall take place upon a date other than the first Tuesday of November, and, upon consideration of such petition and after such advertisement and enquiry as he shall deem proper, the Secretary for Scotland may determine that the said retiral and election shall thereafter take place on a day to be fixed by him in his determination, not earlier than the first Tuesday of November or later than the first Tuesday of February, and, in the event of the Secretary for Scotland so determining, he shall in such determination specify the consequential alterations in the dates mentioned in the principal Act, which are dependent upon the date of the annual election, and in any other dates so dependent, and thereupon the said date of retiral and election and other dates as aforesaid shall be altered accordingly, and the Secretary for Scotland may, on petition as aforesaid, vary or withdraw such determination. Subsections one and three of section ninety-three of the Local

Government (Scotland) Act, 1889, shall apply to any inquiry ordered by the Secretary for Scotland under this section.

The Local Government Board for Scotland may, upon any such determination as aforesaid being issued, make such order as may be necessary to give effect to the provisions of the Local Government (Scotland) Act, 1894, respecting the election of parish councillors in such burgh, and may, by such order or by any subsequent order, make any necessary variation in the dates specified in the said Act, and determine any questions that may arise as to the election and proceedings of the parish council, and such determination shall be final.

Audit of accounts.

8. Notwithstanding anything contained in the principal Act, but subject always to the provisions of section one hundred and nine thereof and of section ninety-three of the Greenock Corporation Order, 1901, the sections of that Act relating to accountsand corporate property shall apply and have effect in all burghs within the meaning of that Act, and, subject as aforesaid, all portions of local Acts inconsistent with or dealing with the same matters as the said sections are hereby repealed.

CHAPTER 35.

An Act to amend the Law with respect to Customs Duties in the Isle of Man. [14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Sugar duties.

1.—(1) There shall, as from the twenty-ninth day of May nineteen hundred and three, be charged, levied and paid, on the following articles removed or imported into the Isle of Man, the following duties of customs:—

	£	s.	d.
Sugar which, when tested by the polariscope, indicates a polarisation exceeding ninety-eight degrees - - - the cwt.	0	4	2
Sugar of a polarisation not exceeding seventy-six degrees - - - the cwt.	0	2	0
Sugar of a polarisation not exceeding ninety-eight degrees, but exceeding seventy-six degrees the cwt.	The intermediate duties shown in the table in the First Schedule to this Act.		
Molasses (except when cleared for use by a licensed distiller in the manufacture of spirits) and invert sugar and all other sugar and extracts from sugar which cannot be completely tested by the polariscope and on which duty is not specially charged by this section—			
If containing 70 per cent. or more of sweetening matter - - the cwt.	0	2	9

	£	s.	d.
If containing less than 70 per cent. and more than 50 per cent. of sweetening matter - - - the cwt.	0	2	0
If containing not more than 50 per cent. of sweetening matter - - the cwt.	0	1	0
The amount of sweetening matter to be taken to be the total amount of cane, invert and other sugar contained in the article, as determined by analysis in manner directed by the Commissioners of Customs.			
Glucose:			
Solid - - - - the cwt.	0	2	9
Liquid - - - „	0	2	0
Saccharin (including substances of a like nature or use) - - - - the oz.	0	1	3

and there shall, as from the same date, be allowed in respect of those articles the drawbacks set out in the Second Schedule to this Act.

(2) The duties of Customs imposed by this Act are duties of Customs within the meaning of section seven of the Finance Act, 1901, and the Customs Tariff Act, 1876, shall apply to the Isle of Man, so far as necessary to give effect to that section. 1 Edw. 7. c. 7. 39 & 40 Vict. c. 35.

2. The following provisions shall have effect in the Isle of Man, if corresponding provisions are enacted for the United Kingdom by virtue of any Act passed in the present session of Parliament:— Molasses used for food for stock.

(1) Molasses imported into the Isle of Man shall not be liable to duty under this Act, if it is to be used solely for the purpose of food for stock and such conditions are complied with, in respect thereof, as to proof, security and otherwise, as may be imposed by the Commissioners of Customs for the purpose of protecting the revenue:

(2) An allowance, at the rate of one shilling per hundredweight, shall be made to a refiner on molasses produced in the Isle of Man from sugar on which duty has been paid on importation, if the molasses is to be used solely for the purpose of food for stock and such conditions are complied with, in respect thereof, as to proof, security and otherwise, as may be imposed by the Commissioners of Customs or Commissioners of Inland Revenue, as the case requires, for the purpose of protecting the revenue:

(3) If any person acts in contravention of any condition imposed by the Commissioners of Customs or Commissioners of Inland Revenue under this section, that person shall in respect of each offence be liable to a penalty not exceeding fifty pounds.

3. The additional duties of Customs on tobacco, tea and spirits removed or imported into the Isle of Man, imposed by section one of the Isle of Man (Customs) Act, 1900, and the additional duty on ale and beer removed or imported into the Isle of Man, imposed by the second paragraph of section two of that Act, shall continue to be charged, levied and paid as from the Continuation of additional duties on tobacco, tea, spirits, ale and beer. 63 & 64 Vict. c. 31.

first day of August nineteen hundred and three until the first day of August nineteen hundred and four.

Short title.

4. This Act may be cited as the Isle of Man (Customs) Act, 1903.

SCHEDULES.

Section 1.

FIRST SCHEDULE.

TABLE SHOWING INTERMEDIATE DUTIES ON SUGAR.

Degrees of Polarisation.	Percentage of the Maximum Duty of 4*s.* 2*d.*	Duty per Cwt.
		s. *d.*
Exceeding 76 and not exceeding 77	49·6	2 0·8
„ 77 „ 78	51·2	2 1·6
„ 78 „ 79	52·8	2 2·4
„ 79 „ 80	54·4	2 3·2
„ 80 „ 81	56	2 4
„ 81 „ 82	57·6	2 4·8
„ 82 „ 83	59·2	2 5·6
„ 83 „ 84	61	2 6·5
„ 84 „ 85	62·8	2 7·4
„ 85 „ 86	64·6	2 8·3
„ 86 „ 87	66·4	2 9·2
„ 87 „ 88	68·4	2 10·2
„ 88 „ 89	70·4	2 11·2
„ 89 „ 90	72·8	3 0·4
„ 90 „ 91	75·2	3 1·6
„ 91 „ 92	77·6	3 2·8
„ 92 „ 93	80	3 4
„ 93 „ 94	82·4	3 5·2
„ 94 „ 95	84·8	3 6·4
„ 95 „ 96	87·2	3 7·6
„ 96 „ 97	89·6	3 8·8
„ 97 „ 98	92	3 10

SECOND SCHEDULE.

(1) Drawbacks to be allowed on Articles removed or exported from the Isle of Man or deposited in any bonded Warehouse in the Isle of Man for use as Ships' Stores, if it is shown to the satisfaction of the Commissioners of Customs that the Duties on Importation have been duly paid. Section 1.

On sugar which has passed a refinery in the Isle of Man a drawback equal to the duty on sugar of the like polarisation.

On goods (other than beer), in the manufacture or preparation of which in the Isle of Man, any of the articles liable to duty has been used, a drawback equal to the duty in respect of the quantity of that article which appears to the satisfaction of the Treasury to have been used in the manufacture or preparation of the goods or, in the case of residual products, to be contained therein; and, in allowing that drawback, the Commissioners of Customs may, with the assent of the Treasury, in order to facilitate trade, relax in the case of any goods any requirements of sections one hundred and four and one hundred and six of the Customs Consolidation Act, 1876, as to the giving of security and the examination of goods.

(2) Drawback to be allowed to a Refiner on Molasses produced in the Isle of Man and delivered by him to a Licensed Distiller for use in the Manufacture of Spirits.

A drawback at the rate of one shilling the hundredweight.

CHAPTER 36.

An Act to amend the Locomotives on Highways Act, 1896.
[14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Reckless driving.

1.—(1) If any person drives a motor car on a public highway recklessly or negligently, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition and use of the highway, and to the amount of traffic which actually is at the time, or which might reasonably be expected to be, on the highway, that person shall be guilty of an offence under this Act.

(2) Any police constable may apprehend without warrant the driver of any car who commits an offence under this section within his view, if he refuses to give his name and address or produce his

licence on demand, or if the motor car does not bear the mark or marks of identification.

(3) If the driver of any car who commits an offence under this section refuses to give his name or address, or gives a false name or address, he shall be guilty of an offence under this Act, and it shall be the duty of the owner of the car, if required, to give any information which it is within his power to give, and which may lead to the identification and apprehension of the driver, and if the owner fails to do so he also shall be guilty of an offence under this Act.

Registration of motor cars.

2.—(1) Every motor car shall be registered with the council of a county or county borough, and every such council shall assign a separate number to every car registered with them.

(2) A mark, indicating the registered number of the car and the council with which the car is registered, shall be fixed on the car or on a vehicle drawn by the car, or on both, in such manner as the council require in conformity with regulations of the Local Government Board made under this Act.

(3) A fee of twenty shillings shall be charged by the council of a county or county borough on the registration of a car, except in the case of motor cycles, for which the fee shall be five shillings.

(4) If a car is used on a public highway without being registered, or if the mark to be fixed in accordance with this Act is not so fixed, or if, being so fixed, it is in any way obscured or rendered or allowed to become not easily distinguishable, the person driving the car shall be guilty of an offence under this Act, unless, in the case of a prosecution for obscuring a mark or rendering or allowing it to become not easily distinguishable, he proves that he has taken all steps reasonably practicable to prevent the mark being obscured or rendered not easily distinguishable.

Provided that—

(*a*) A person shall not be liable to a penalty under this section if he proves that he has had no reasonable opportunity of registering the car in accordance with this section, and that the car is being driven on a highway for the purpose of being so registered; and

(*b*) The council of any county or county borough, in which the business premises of any manufacturer of or dealer in motor cars are situated, may, on payment of such annual fee, not exceeding three pounds, as the council require, assign to that manufacturer or dealer a general identification mark which may be used for any car on trial after completion, or on trial by an intending purchaser, and a person shall not be liable to a penalty under this section while so using the car, if the mark so assigned is fixed upon the car in the manner required by the council in accordance with regulations of the Local Government Board made under this Act.

Licensing of drivers.

3.—(1) A person shall not drive a motor car on a public highway unless he is licensed for the purpose under this section, and a person shall not employ any person who is not so licensed to drive a motor car.

If any person acts in contravention of this provision he shall be guilty of an offence under this Act.

(2) The council of a county or county borough shall grant a licence to drive a motor car to any person applying for it who resides in that county or county borough on payment of a fee of five shillings, unless the applicant is disqualified under the provisions of this Act.

(3) A licence shall remain in force for a period of twelve months from the date on which it is granted, but shall be renewable, and the same provisions shall apply with respect to the renewal of the licence as apply with respect to the grant of the licence.

(4) A licence must be produced by any person driving a motor car when demanded by a police constable. If any person fails so to produce his licence, he shall be liable, on summary conviction, in respect of each offence to a fine not exceeding five pounds.

(5) Any person under the age of seventeen years shall be disqualified for obtaining a licence (except that a licence limited to driving motor cycles may be granted to a person over the age of fourteen years), and any person who already holds a licence shall be disqualified for obtaining another licence while the licence so held by him is in force.

Suspension of licence and disqualification.

4.—(1) Any court before whom a person is convicted of an offence under this Act, or of any offence in connection with the driving of a motor car, other than a first or second offence, consisting solely of exceeding any limit of speed fixed under this Act—

(*a*) may, if the person convicted holds any licence under this Act, suspend that licence for such time as the court thinks fit, and, if the court thinks fit, also declare the person convicted disqualified for obtaining a licence for such further time after the expiration of the licence as the court thinks fit; and

(*b*) may, if the person convicted does not hold any licence under this Act, declare him disqualified for obtaining a licence for such time as the court thinks fit; and,

(*c*) if the person convicted holds any licence under this Act, shall cause particulars of the conviction and of any order of the court made under this section to be endorsed upon any licence held by him, and shall also cause a copy of those particulars to be sent to the council by whom any licence so endorsed has been granted.

(2) Any person so convicted, if he holds any licence under this Act, shall produce the licence within a reasonable time for the purposes of endorsement, and if he fails to do so shall be guilty of an offence under this Act.

(3) A licence so suspended by the court shall during the term of suspension be of no effect, and a person whose licence is suspended or who is declared by the court to be disqualified for obtaining a licence shall, during the period of suspension or disqualification, be disqualified for obtaining a licence.

(4) Any person who is by virtue of an order of the court under this section disqualified for obtaining a licence may appeal against the order, in the same manner as a person may appeal who is ordered to be imprisoned without the option of a fine; and the court may, if they think fit, pending the appeal, defer the operation of the order.

(5) If any person, who under the provisions of this Act is disqualified for obtaining a licence, applies for or obtains a licence while he is so disqualified, or if any person whose licence has been endorsed applies for or obtains a licence without giving particulars of the endorsement, that person shall be guilty of an offence under this Act, and any licence so obtained shall be of no effect.

Forgery, &c. of identification mark or licence.

5. If any person forges or fraudulently alters or uses, or fraudulently lends or allows to be used by any other person, any mark for identifying a car or any licence under this Act he shall be guilty of an offence under this Act.

Duty to stop in case of accident.

6. A person driving a motor car shall, in any case, if an accident occurs to any person, whether on foot, on horseback or in a vehicle, or to any horse or vehicle in charge of any person, owing to the presence of the motor car on the road, stop and, if required, give his name and address, and also the name and address of the owner and the registration mark or number of the car; and if any person knowingly acts in contravention of this section, he shall be liable, on summary conviction, in respect of the first offence to a fine not exceeding ten pounds, and in respect of the second offence to a fine not exceeding twenty pounds, and in respect of any subsequent offence to a fine not exceeding twenty pounds, or, in the discretion of the court, to a term of imprisonment not exceeding one month.

Regulations by Local Government Board. 59 & 60 Vict. c. 36.

7.—(1) The Local Government Board may, under section six of the Locomotives on Highways Act, 1896 (in this Act referred to as the principal Act), make regulations—

(*a*) providing generally for facilitating the identification of motor cars, and in particular for determining and regulating generally the size, shape and character of the identifying marks to be fixed under this Act and the mode in which they are to be fixed and to be rendered easily distinguishable, whether by night or by day, and with respect to the registration of cars, and the entry of particulars, including particulars of the ownership of the car, in the register, and the giving of those particulars, and for making any particulars contained in the register available for use by the police, and for making the registration of a car void if the regulations as to registration are not complied with; and

(*b*) with respect to the licences to be granted by the councils of counties or county boroughs under this Act, and in particular with respect to the register to be kept of those licences and the renewal of licences, and for providing special facilities for granting licences to persons not resident in the United Kingdom, and for communicating particulars thereof to adjoining and other county or county borough councils, and for making any particulars with respect to any persons whose licences are suspended or endorsed available for use by the police, and for preventing a person holding more than one licence.

(2) The councils of counties and county boroughs shall comply with any regulations so made by the Local Government Board, and may, if authorised by those regulations and in accordance therewith, charge in respect of the entry of particulars of the ownership of a car on change of ownership such fee, not exceeding ten shillings, as may be prescribed by the regulations, and in respect of the issue of a new licence in the place of a licence lost or defaced such fee not exceeding one shilling as may be prescribed by the regulations.

Power to prohibit motor cars on special roads.

8. The Local Government Board may, by regulations made under section six of the principal Act, prohibit or restrict the driving of any motor cars, or of any special kind of motor cars, on any specified highway or part of a highway, which does not exceed sixteen feet in width, or on which ordinary motor car traffic would, in their opinion, be especially dangerous.

Rate of speed.

9.—(1) Section four of the principal Act (which relates to the rate of speed of motor cars) is hereby repealed, but a person shall not, under any circumstances, drive a motor car on a public highway at a speed exceeding twenty miles per hour, and, within any limits or place referred to in regulations made by the Local Government Board with a view to the safety of the public, on the application of the local authority of the area in which the limits or place are situate, a person shall not drive a motor car at a speed exceeding ten miles per hour.

If any person acts in contravention of this provision he shall be liable, on summary conviction, in respect of the first offence to a fine not exceeding ten pounds, and in respect of the second offence to a fine not exceeding twenty pounds, and in respect of any subsequent offence to a fine not exceeding fifty pounds, but a person shall not be convicted under this provision for exceeding the limit of speed of twenty miles merely on the opinion of one witness as to the rate of speed.

(2) Where a person is prosecuted for an offence under this section, he shall not be convicted unless he is warned of the intended prosecution at the time the offence is committed, or unless notice of the intended prosecution is sent to him or to the owner of the car as entered on the register within such time after the offence is committed, not exceeding twenty-one days, as the court think reasonable.

(3) The Local Government Board may, without any application from the local authority, after considering any objections which may be raised by the local authority, revoke or alter any regulation made by them under this section.

(4) For the purposes of this section the expression local authority means—

(*a*) as respects the City of London, the mayor, aldermen and commons of the City of London in common council assembled; and

(*b*) as respects a municipal borough with a population of over ten thousand, according to the last census taken before the passing of this Act, the council of the borough; and

(*c*) as respects any other area, the county council.

Erection of notice boards.

10.—(1) Local authorities within the meaning of the last preceding section shall give public notice of any regulation of the Local Government Board, made in pursuance of this Act, prohibiting or restricting the use of motor cars on any highway or part of a highway, or limiting the speed of motor cars within any limits or place, and, for the purpose of giving effect to any such regulation, shall place notices in conspicuous places on or near the highway, part of a highway, limits or place to which the regulation refers.

(2) Subject to regulations as to size and colours to be made by the Local Government Board, local authorities, within the meaning of the last preceding section, shall within their areas cause to be set up sign posts denoting dangerous corners, cross roads and precipitous places, where such sign posts appear to them to be necessary.

Penalties and legal proceedings.

11.—(1) A person guilty of an offence under this Act, for which no special penalty is provided, shall be liable on summary conviction in respect of each offence to a fine not exceeding twenty pounds, or in the case of a second or subsequent conviction to a fine not exceeding fifty pounds, or in the discretion of the court to imprisonment for a period not exceeding three months.

(2) Any person adjudged to pay a fine exceeding twenty shillings under this Act may appeal against the conviction, in the same manner as he may appeal if ordered to be imprisoned without the option of a fine.

Regulations as to maximum weight of cars.

12.—(1) The Local Government Board by regulations made under section six of the principal Act may, as respects any class of vehicle mentioned in the regulations, increase the maximum weights of three tons and four tons mentioned in section one of that Act, subject to any conditions as to the use and construction of the vehicle which may be made by the regulations.

(2) The power of the Local Government Board to make regulations under section six of the Locomotives on Highways Act, 1896, shall, as respects motor cars exceeding two tons in weight unladen, include a power to make regulations as to speed.

Inland Revenue licences for

13. The definition of "male servant" in subsection three of section nineteen of the Revenue Act, 1869, as amended by section

five of the Customs and Inland Revenue Act, 1876, shall be construed as if a person employed to drive a motor car were included in that definition. motor car drivers. 32 & 33 Vict. c. 14. 39 & 40 Vict. c. 16.

14. Subsections one and five of section eighty-seven of the Local Government Act, 1888 (which relates to local inquiries) shall apply for the purpose of the carrying out by the Local Government Board of any of their duties under this Act. Local inquiries by Local Government Board. 51 & 52 Vict. c. 41.

15. Nothing in this Act shall affect any liability of the driver or owner of a motor car by virtue of any statute or at common law. Saving of liability.

16. It is hereby declared that this Act and the principal Act apply to persons in the public service of the Crown. Application to servants of the Crown.

17.—(1) A motor car shall not be driven on or over Menai Bridge except in accordance with regulations made by the Commissioners of Works. Protection of Menai Bridge.

(2) If any person acts in contravention of this section he shall be liable on summary conviction in respect of the first offence to a fine not exceeding ten pounds, and in respect of the second offence to a fine not exceeding twenty pounds, and in respect of any subsequent offence to a fine not exceeding fifty pounds.

18. In the application of this Act to Scotland— Application to Scotland.

(1) a reference to the Secretary for Scotland shall be substituted for a reference to the Local Government Board; and

(2) a reference to the council of a royal, parliamentary or police burgh, containing within its boundaries, as ascertained, fixed or determined for police purposes, a population according to the census for the time being last taken of or exceeding fifty thousand, shall be substituted for a reference to the council of a county borough, and every other burgh shall be deemed to form part of the county within which it is situate; and

(3) the road authority of any county or of any royal, parliamentary or police burgh shall be the local authority within the meaning of the provisions of this Act which relate to the rate of speed and the erection of danger boards; and

(4) a reference to subsections one and three of section ninety-three of the Local Government (Scotland) Act, 1889, shall be substituted for a reference to subsections one and five of section eighty-seven of the Local Government Act, 1888; and 52 & 53 Vict. c. 50.

(5) any fine under this Act shall be recoverable by imprisonment in terms of the Summary Jurisdiction Acts; and

(6) any person convicted of an offence under this Act and ordered to be imprisoned without the option of a fine or adjudged to pay a fine exceeding ten pounds shall have a right of appeal against the conviction. Such appeal shall

lie to the sheriff depute, and shall be heard summarily. Such appeal may be taken either immediately after the judgment appealed against has been pronounced or within seven days thereafter, and upon such appeal being taken the sentence (if any) shall be suspended until the appeal has been disposed of: Provided that the appellant shall, at the time of taking such appeal, lodge in the hands of the clerk of court a bond with sufficient cautioner, or otherwise give security satisfactory to the court for appearing before the sheriff depute. The sheriff depute is hereby authorised and empowered on such appeal to hear evidence, whether led at the original hearing or not, and to reconsider the merits of the case and reverse or confirm, in whole or in part, the judgment appealed against, or give such new or different judgment as he in his discretion shall think fit; and, save as provided by the Summary Prosecutions Appeals (Scotland) Act, 1875, his judgment shall be final and not subject to review; and

(7) An appeal, taken in terms of this Act by a person holding a licence, against an order for suspension or disqualification shall be taken and disposed of as nearly as may be in the manner and subject to the conditions provided by the immediately preceding subsection.

Application to Ireland.

19. In the application of this Act to Ireland—

(1) a reference to the Local Government Board for Ireland shall be substituted for a reference to the Local Government Board; and

51 & 52 Vict. c. 41.

(2) Subsections one and three of article thirty-two of the Local Government (Application of Enactments) Order, 1898, shall be substituted for subsections one and five of section eighty-seven of the Local Government Act, 1888; and

14 & 15 Vict. c. 92.

(3) Section twenty-three of the Summary Jurisdiction (Ireland) Act, 1851 (which gives a right of appeal), shall apply as respects convictions for offences under this Act, as if any term of imprisonment without the option of a fine were substituted for a term of imprisonment exceeding one month; and

61 & 62 Vict. c. 36.

(4) Sections one to four, inclusive, of the Criminal Evidence Act, 1898, shall extend to Ireland in the case of a person charged with any offence under this Act.

Interpretation, commencement and short title.

20.—(1) In this Act the expression "motor car" has the same meaning as the expression "light locomotive" has in the principal Act, as amended by this Act, except that, for the purpose of the provisions of this Act with respect to the registration of motor cars, the expression "motor car" shall not include a vehicle drawn by a motor car.

The provisions of this Act and of the principal Act shall apply in the case of a roadway to which the public are granted access, in the same manner as they apply in the case of a public highway.

(2) This Act shall come into operation on the first day of January nineteen hundred and four.

(3) This Act may be cited as the Motor Car Act, 1903; and the Locomotives on Highways Act, 1896, and this Act may be cited together as the Motor Car Acts, 1896 and 1903.

21. This Act shall continue in force till the thirty-first day of December nineteen hundred and six and no longer, unless Parliament shall otherwise determine. Duration of Act.

CHAPTER 37.

An Act to amend the Law relating to the occupation and ownership of Land in Ireland and for other purposes relating thereto and to amend the Labourers (Ireland) Acts. [14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Part I.

Land Purchase.

Purchase and Resale of Estates.

1.—(1) In the case of the sale of an estate, whether to the Land Commission or otherwise, when application is made for an advance under the Land Purchase Acts of the whole purchase money of a holding, and the Land Commission are satisfied that the tenant is in occupation of the holding, then, subject to the limitations in the Land Purchase Acts on advances to tenants purchasing their holdings, the Land Commission shall sanction the advance in the following cases, namely:— Advances for purchase of holdings where whole estate sold.

(*a*) In the case of the purchase of a holding subject to a judicial rent fixed or agreed to since the passing of the Act of 1896, if the purchase annuity, created under this Act payable in respect of the advance, will be not less than ten nor more than thirty per cent. below the existing rent; and 59 & 60 Vict. c. 47.

(*b*) In the case of the purchase of a holding subject to a judicial rent fixed or agreed to before that date, if the said purchase annuity will be not less than twenty nor more than forty per cent. below that rent:

Provided that, in the case of a holding subject to a judicial rent fixed or agreed to before the passing of the Act of 1896, the Land Commission may, if they think it equitable and if the purchase agreement so provides, treat the holding, for the purposes

of this section, as a holding subject to a judicial rent fixed since the passing of the Act of 1896.

(2) If the foregoing provisions are not complied with, the Land Commission may, subject to the limitations in the Land Purchase Acts, sanction the advance, if they are satisfied with the security and if, after giving all persons interested in the estate an opportunity of being heard, they consider the agreed price to be equitable, having regard to the interests of all such persons as aforesaid.

(3) The Land Commission, if they think it expedient with a view to the improvement of the estate, may declare that, for the purposes of this section, a portion of a holding shall be deemed a holding, and in such case may apportion the rent of the holding between the portion proposed to be purchased and the remainder of the holding.

51 & 52 Vict. c. 49.

(4) Notwithstanding any provisions to the contrary contained in the Purchase of Land (Ireland) Amendment Act, 1888, an advance may be sanctioned under the provisions of the Land Purchase Acts, not exceeding the sum of seven thousand pounds to one purchaser, where, in the opinion of the Land Commission, it is expedient to make any such advance for the purpose of carrying out the sale of a holding to which the Land Law Acts apply.

(5) This section shall not apply in the case of holdings on congested estates, in respect of which the Land Commission have given a certificate under section six of this Act, nor in the case of holdings on estates purchased by the Congested Districts Board.

Advances for purchase of other portions of estate.

2.—(1) In the case of the sale of an estate advances under the Land Purchase Acts may be made for the purchase of parcels thereof by the following persons:—

(*a*) A person being the tenant of a holding on the estate;

(*b*) A person being the son of a tenant of a holding on the estate;

(*c*) A person being the tenant or proprietor of a holding not exceeding five pounds in rateable value, situate in the neighbourhood of the estate; and

(*d*) A person who, within twenty-five years before the passing of this Act, was the tenant of a holding to which the Land Law Acts apply, and who is not at the date of the purchase the tenant or proprietor of that holding: Provided that, in the case of the death of a person to whom an advance under this paragraph might otherwise have been made, the advance may be made to a person nominated by the Land Commission as the personal representative of the deceased person.

(2) Advances under this section shall not, together with the amount (if any) of any previous advance under the Land Purchase Acts then unrepaid by the purchaser, exceed one thousand pounds:

Provided that the limitation in this subsection may, subject to the other limitations in the Land Purchase Acts, be exceeded where the Land Commission consider that a larger advance may be sanctioned to any purchaser, without prejudice to the wants and circumstances of other persons residing in the neighbourhood.

(3) The Land Purchase Acts shall, subject to the provisions of this section, apply to the sale of a parcel of land in pursuance of

this section, in like manner as if the same was a holding and the purchaser was the tenant thereof at the time of his making the purchase, and the expression "holding" in those Acts shall include a parcel of land in respect of the purchase of which an advance has been made in pursuance of this section.

Advances to owners of estates.

3.—(1) Where the owner of an estate has entered into agreements, under the Land Purchase Acts, for the sale to persons other than the Land Commission of the estate, the Land Commission may purchase from him any demesne or other land in his occupation and adjacent to, or in the neighbourhood of, the estate at a price which in their opinion represents the selling value of that land, and in such case may resell the whole or any portion of that land to him ; provided that the Land Commission may, if they think it necessary for furthering the purposes of this Act, dispense with the condition in this subsection that the land purchased and resold shall be adjacent to, or in the neighbourhood of, the estate.

(2) Where any land is so resold, or where a parcel of an estate purchased by the Land Commission is resold to the vendor, or (in the case of an estate purchased from the land judge) to the former owner of the estate or a person nominated by the Land Commission as his representative, an advance under the Land Purchase Acts may be made, not exceeding in any case one-third of the aggregate amount of the purchase money of the holdings and other parcels of land comprised in the estate, or twenty thousand pounds, whichever is the less.

(3) In entering into agreements for the resale of any land to the vendor of an estate, the Land Commission shall have regard to the amount of land available for the enlargement of holdings, where they consider such enlargement necessary.

(4) Where any land is resold, in pursuance of this section, a Judicial Commissioner may, if he thinks it equitable, on the application within the prescribed time of any person who, at the date of the sale of the land to the Land Commission, was entitled to any estate in remainder or reversion in that land, order, upon such terms and conditions as he may think reasonable, that the land so resold shall devolve in accordance with the terms of the settlement which, at the date of the sale to the Land Commission, affected it.

(5) If the owner of any demesne or other land subject to settlement and sold to the Land Commission does not repurchase the same within the prescribed time, the Land Commission may make an advance under this section to the trustees of the settlement, and in such case the land resold shall be held subject to the trusts of the settlement.

(6) Any land resold in pursuance of this section shall not be subject to the provisions of the Local Registration of Title (Ireland) Act, 1891, relating to the devolution of freehold registered land. 54 & 55 Vict. c. 66.

Advances to trustees.

4.—(1) In the case of the sale of an estate advances under the Land Purchase Acts may be made for the purchase, by any trustees approved of by the Land Commission, of any parcel of the estate

to be held subject to the provisions of this Act, for the purposes of turbary, pasturage, the raising of sand or gravel, the cutting or gathering of seaweed, the planting of trees or the preservation of game, fish, woods or plantations, or for the purposes of the Labourers (Ireland) Acts, 1883 to 1896, as amended by this Act.

(2) An advance in pursuance of this section may be of such amount as the Lord Lieutenant may sanction.

Sanction of advances in cases not within zones.

5. In the case of the sale of an estate where an application for an advance, to which the provisions of subsection one of section one of this Act do not apply, is made, the Land Commission may, subject to the limitations in the Land Purchase Acts, advance the whole or part of the purchase money, if they are satisfied with the security and are of opinion that, having regard to all the circumstances of the case, the agreed price is equitable.

Purchase of estates by Land Commission.

6.—(1) Where the owner of an estate makes an application in the prescribed form to the Land Commission, requesting them to enquire into the circumstances of the estate with a view to the sale thereof under this Part of this Act, the Land Commission may, after due enquiry, propose to purchase the estate, and in estimating the price shall have regard to the foregoing provisions of this Act in respect of advances, and to the prices which the tenants and other persons are willing to give for the holdings and other parcels of land comprised in the estate.

(2) If within the prescribed time the owner of the estate agrees to sell the estate at the estimated price, and tenants of holdings on the estate, to the extent of not less than three-fourths in number and rateable value, undertake to purchase from the Land Commission their holdings, or other designated parcels of land in lieu thereof, for the respective amounts on the basis of which the price of the tenanted portion of the estate was estimated by the Commission, the Commission may agree to purchase the estate for the estimated price.

(3) The Lord Lieutenant may, under special circumstances and with the approval of the Treasury, dispense with the condition in the last preceding subsection as to undertakings to purchase holdings, where the Land Commission certify to him that they are of opinion that the resale of the estate can be effected without prospect of loss.

(4) In the case of a congested estate as defined by this section, if the Land Commission, with the consent of the owner, certify to the Lord Lieutenant that the purchase and resale of the estate are desirable in view of the wants and circumstances of the tenants thereon, then the Land Commission may purchase the estate for a price to be agreed upon, and in such case the condition in this section as to resale without prospect of loss may be relaxed to such extent as the Lord Lieutenant may determine.

(5) The expression "congested estate" means an estate not less than half of the area of which consists of holdings not exceeding five pounds in rateable value, or of mountain or bog land, or not less than a quarter of the area of which is held in rundale or intermixed plots.

Sales in Court of Land Judge. 21 & 22 Vict. c. 49.

7. Where it appears to the Land Commission expedient to take steps with a view to the purchase, for the purposes of this Part of this Act, of an estate for the sale of which an absolute order has been made under the Landed Estates Court (Ireland) Act, 1858, the following provisions shall have effect:—

(1) The Land Judge may, at the request of the Land Commission, cause the Commission to be furnished with such particulars and documents as they may require respecting the estate, including a schedule in the prescribed form of the tenancies thereon and a statement of the superior interests (if any) to which the estate is subject:

(2) The Land Commission, after causing the estate to be inspected, may, subject to the provisions of the last preceding section as to undertakings to purchase holdings and resale without prospect of loss, make an offer to the Land Judge for the purchase of the estate, or of any part thereof, discharged from the claims of all persons who are interested in the estate, whether in respect of superior or intervening interests or incumbrances or otherwise, and the offer shall contain the following particulars:—

(*a*) The land comprised in the offer;

(*b*) The arrears of rent which are to be transferred to the Commission; and

(*c*) The amount of the purchase money:

(3) The Land Judge, after giving such notice of the offer as he thinks fit and after giving all parties interested in the estate an opportunity of being heard, shall, if he does not consider the offer sufficient, as soon as practicable, unless the offer is in the meantime withdrawn, put up for public auction the land specified therein, discharged from all claims as aforesaid, but subject to the conditions mentioned therein as to arrears of rent or otherwise, and shall, unless he considers it unreasonable or unjust, having regard to the interests of any such party as aforesaid, sell the same to the highest bidder:

(4) Where an estate is sold in pursuance of this section, the Land Judge shall have all the powers for the apportionment and redemption of superior and intervening interests conferred on him by the Land Purchase Acts:

(5) An order of the Land Judge, declaring the Land Commission to be the purchasers of any land, shall have the effect of an order vesting land in the Commission made by them under this Part of this Act, and shall also vest in them the right to collect and recover any arrears of rent specified in the order, and a certified copy thereof shall be transmitted to the registering authority under the Local Registration of Title (Ireland) Act, 1891, and the Land Commission shall thereupon be registered, under that Act, as the absolute owners of the land: 54 & 55 Vict. c. 66.

(6) Where the Land Commission make an offer under this section for the purchase of an estate, the provisions of section forty of the Act of 1896 shall be suspended and shall not have effect, in the case of that estate, unless and until the offer is withdrawn or the estate is put up for auction and not sold.

Purchase of untenanted land.

8. The Land Commission may purchase any untenanted land which they consider necessary for the purpose of facilitating the resale or redistribution of estates purchased, or proposed to be purchased, by them, and the foregoing provisions of this Act, with respect to advances for the purchase of parcels of land comprised in estates, shall apply in the case of the sale by the Commission of any parcel of such untenanted land.

Limitations on spending powers of Land Commission.

9.—(1) There shall not be at any time vested in the Land Commission lands exceeding in the aggregate, according to the estimate of the Commission, as approved by the Treasury, the capital value of five million pounds, in respect of which undertakings to purchase have not been received by the Commission.

(2) The Land Commission shall not in any one year enter into agreements involving the expenditure, on the purchase of congested estates, of sums which would in the aggregate exceed by more than ten per cent. the aggregate sums for which the Commission estimate that those estates can be resold by them: Provided that, for the purposes of this enactment, any money which the Land Commission have expended, or propose to expend, on the improvement of those estates shall be deemed to be repayable in full out of the purchase money on resales, and shall not be included in the estimate in calculating the ten per cent.

(3) For the purposes of this section the acceptance by the Land Judge of an offer shall be deemed an agreement.

Exclusion of certain estates.

10. No estate shall be purchased by the Land Commission which is not in the main agricultural or pastoral.

As to guarantee deposit.

11. No guarantee deposit shall be made or retained in respect of an advance made in pursuance of the foregoing provisions of this Act.

Provisions with respect to improvements.

12.—(1) The Land Commission may take such steps and execute, or cause to be executed, such works as may appear expedient for the benefit or improvement of estates, or untenanted land, purchased or proposed to be purchased under this Act, or for the use or enjoyment thereof or generally for the purposes of this Act.

(2) For the purpose of carrying this section into effect, the Land Commission shall have all the powers for facilitating resales of land conferred on the Congested Districts Board by sections one and two of the Congested Districts Board (Ireland) Act, 1901, as amended by this Act, and those sections, as so amended, shall apply accordingly, with the substitution of the Land Commission for the Congested Districts Board:

1 Edw. 7. c. 34.

Provided that where, with the consent of a tenant, the area of his holding is altered, or he is put into possession of a new holding, the Land Commission may order that such charges, liabilities and equities as affect the tenant's interest in his former holding shall either continue to affect that holding, or be transferred to his altered or new holding:

Provided also that the powers, mentioned in section one of the said Act of 1901 shall not be exercised by the Land Commission

unless they certify to the Lord Lieutenant that those powers are necessary for the benefit or improvement of a congested estate.

Provision with respect to sporting rights and minerals. 43 & 44 Vict. c. 47.

13.—(1) Where, at the time of sale of any land to the Land Commission or to tenants or others, the vendor has, subject to the provisions of the Ground Game Act, 1880, sporting rights, exclusive of the tenant, those rights may by agreement between the vendor and purchaser be either conveyed to the purchaser or be expressly reserved to the vendor, and in the absence of such agreement those rights shall be vested in the Land Commission, and the Land Commission may deal with the same, subject to regulations to be made by the Lord Lieutenant.

(2) The expression "sporting rights" includes any right of hunting, shooting, fishing and taking game or fish on any land, and the expression "game" has the same meaning as in section five of the Act of 1881, and also includes deer.

(3) On the sale under the Land Purchase Acts of any land by the Land Commission, or of any land comprised in an estate by the owner of the estate, there shall be reserved, in the prescribed manner, to the Commission the exclusive right of mining and taking minerals and digging and searching for minerals, on or under that land, and the said right shall be disposed of by the Commission in manner hereafter to be provided by Parliament:

Provided that this subsection shall not apply—

(*a*) to any demesne or other land resold in pursuance of section three of this Act; or

(*b*) to any such right which constitutes a superior interest, or which is vested in the Crown; or

(*c*) to any stone, gravel, sand or clay:

Provided also that, where any such right reserved to the Land Commission under this subsection is at any time hereafter let, leased, sold or demised by them, the vendor (or the person who would have been entitled thereto if the lands had not been sold) shall be entitled to receive twenty-five per cent. of any rent, purchase-money or other net profit received by the Land Commission in respect of same, unless the Land Commission shall have purchased from the person entitled to such percentage his interest therein, and the Land Commission may purchase such interest at any time, on such terms as may be sanctioned by the Treasury.

(4) Where any right mentioned in this section is so reserved, there shall be attached thereto a right to enter upon the land in respect of which the first-mentioned right may be exercised, and to authorise any persons so to do; but any person entering upon land in pursuance of this subsection shall be liable to make reasonable amends and satisfaction for any damage done or occasioned thereby.

(5) Any person authorised, by or in pursuance of the last preceding subsection, to enter upon land for the purpose of exercising a sporting right shall have the same authority to prosecute for trespass in pursuit of game or fish as if he were the occupier of that land.

Reservation of ancient monuments.

14.—(1) Where any land, which is vested under the Land Purchase Acts in a purchaser, contains any ancient monument which, in the opinion of the Land Commission, is a matter of public interest, by reason of the historic, traditional or artistic interest attaching thereto, they may, with the consent of the Commissioners of Public Works in Ireland, by order declare that the property in the monument shall not pass to the purchaser and make an order vesting the monument in those Commissioners.

45 & 46 Vict. c. 73.

(2) Where any such order is made, the provisions of the Ancient Monuments Protection Act, 1882, with respect to the maintenance of and access and penalties for injury to ancient monuments, shall apply as if the monument were a monument under the guardianship of those Commissioners in pursuance of that Act.

(3) Where those Commissioners refuse to consent to the vesting of any such monument in them, the Land Commission may, with the consent of the council of the county within which the monument is situate, make an order vesting the monument in that council, and subsection two of section nineteen of the Local Government (Ireland) Act, 1898, shall thereupon apply.

61 & 62 Vict. c. 37.

(4) In this section the expression "ancient monument" means any ancient or mediæval structure, erection or monument or any remains thereof.

Subtenancies and subdivided holdings.

15.—(1) In the case of the sale of an estate the Land Commission may, if they think fit, declare that any person who, as a subtenant, is in the exclusive occupation of a parcel of land comprised in the estate shall be deemed the tenant of that parcel, and that the parcel shall be deemed a holding.

(2) The Land Commission shall in such case redeem the interests (in this Part of this Act referred to as "intervening interests") intervening between the owner of the estate and the person in such exclusive occupation as aforesaid, at a price which, in default of agreement between the owner of the estate and the owner of the intervening interest within the prescribed time, shall be fixed by the Land Commission, and the redemption money shall be paid out of the purchase money of the estate, and be dealt with in like manner as if it were the redemption money of a superior interest, or in such other manner as appears to the Commission equitable: Provided that, if the Land Commission are of opinion that any intervening interest is of no appreciable value, they shall by order declare that interest to be extinguished.

(3) The foregoing provisions of this section shall not apply where any intervening interest is an interest sufficient to constitute the owner thereof a person having power to sell under the Land Purchase Acts to tenants.

(4) Where a holding comprised in any such estate is held by joint tenants or tenants in common, or is subdivided between two or more persons, and the Land Commission are satisfied that such tenants or persons are in the exclusive occupation of separate portions thereof, the Commission may, if they think fit, for the purpose of the foregoing provisions of this Act, declare that any such tenant or person shall be deemed the tenant of the parcel of

land in his exclusive occupation, and that such parcel shall be deemed a holding, and may apportion the rent of the holding between such tenants or persons as the justice of the case may require.

(5) Any person aggrieved by any decision of the Land Commission under this section may, in the prescribed manner, appeal to a Judicial Commissioner.

(6) For the purpose of the sale of an estate by the Land Judge to the Land Commission, the Land Judge shall have the powers conferred on the Commission by this section, but no appeal shall lie from any decision of the Land Judge under this section.

Purchase agreement and vesting order.

16.—(1) The Land Commission may, where they agree to purchase any land, make a vesting order which shall be effectual to vest in the Commission the fee simple of the land purchased, subject—

(*a*) to any public rights affecting the land;
(*b*) to any sporting rights reserved by the vendor;
(*c*) to any maintenance charge under the Public Works Acts; and
(*d*) to any interests of the tenants on the land, or of persons having claims upon those interests, and to any easements, rights and appurtenances mentioned in section thirty-four of the Act of 1896;

but, save as aforesaid and subject to the provisions of this Act with respect to minerals, discharged from the claims of all persons who are interested in the land, whether in respect of superior or intervening interests or incumbrances or otherwise, and all such claims shall, as from the date of the vesting order, cease as against the land and attach to the purchase money, in like manner as immediataly before the date of the order they attached to the land.

(2) At any time not less than two months before making a vesting order under this section, the Land Commission shall publish the prescribed advertisements, and shall serve such notices as they may think necessary stating their intention to make the order and the effect thereof, and any person interested in the land may, in the manner and within the time prescribed, show cause against the vesting order being made, and in such case, unless the cause shown is disallowed, the order shall not be made.

(3) A certified copy of every vesting order under this section shall be transmitted to the registering authority under the Local Registration of Title (Ireland) Act, 1891, and the Land Commission shall thereupon be registered under that Act as the absolute owners of the land, discharged from all claims as hereinbefore provided.

54 & 55 Vict. c. 66.

Persons whom Land Commission may deal with as owners.

17.—(1) Where any person proposing to sell land, under the foregoing provisions of this Act, gives primâ facie evidence that he is a person having power to sell under the Land Purchase Acts, and satisfies the Land Commission that for not less than six years immediately preceding he or his immediate predecessor

in title has been, personally or by an agent, in receipt of the rents or profits of the land, he may, if the Land Commission think fit, subject to such conditions with respect to advertisements and notices as may be prescribed, be dealt with as the owner of the land, for all purposes other than the distribution of purchase money or the payment of any percentage out of the Land Purchase Aid Fund established under this Act, without any further investigation of his title.

(2) Where any person not under disability satisfies the Land Commission that he is the limited owner of any land, he may, if the Land Commission think fit, be dealt with as the owner of the land for the purposes aforesaid, whether there is or is not a trustee of the settlement for the purposes of the Settled Land Acts, 1882 to 1890, and whether the consent of such trustee (if any) has or has not been obtained.

Rents and profits recoverable by Land Commission.

18.—(1) The rents and profits of any land agreed to be purchased by the Land Commission, together with any interest under section thirty-five of the Act of 1896, which interest shall be at a rate of not less than three and a half per cent. per annum, and, subject to the provisions of this section, any arrears of rent, due at the date of the purchase agreement and not remitted by the Commission, shall from the date of the agreement be payable to and recoverable by the Commission in like manner as if they were instalments of purchase annuities charged upon holdings.

(2) Interest on the purchase money, at the rate of three and a half per cent. per annum, shall be paid by the Land Commission to the person in receipt of the rents of the land at the date of the agreement, or such other person as may appear to the Land Commission to be entitled thereto, from the date of the agreement until the land is vested in the Commission :

Provided that, if the land does not become vested in the Land Commission, the foregoing provisions of this section shall cease to have effect as from the date on which the Commission certify that the sale cannot be completed, and an account shall be rendered by the Commission as between the moneys received by them and any interest paid by them under those provisions, and the balance (if any) certified by the Commission shall be paid by or to them accordingly, and the certificate shall be conclusive of the matters stated therein.

(3) Section thirty-five of the Act of 1896 shall, subject to the provisions of this section, apply, with the necessary modifications, to the case of an agreement with the Land Commission for the purchase of a holding.

Power to declare certain tenants to be purchasers.

19. Where an estate is purchased by the Land Commission and tenants on the estate to the extent of three-fourths in number and rateable value have agreed to purchase their holdings, the Estates Commissioners may, if, having regard to the circumstances of the case, they think it expedient, order that the remaining tenants, or any of them, shall be deemed to have accepted the offers made to them, and the Land Purchase Acts shall apply accordingly, where the tenant could have obtained an advance of

the entire purchase money, and the Land Commission have offered in the prescribed manner to make the advance.

Schemes for user of land by trustees.

20.—(1) Where any land is purchased by means of an advance under the Land Purchase Acts by any trustees for the purposes mentioned in section four of this Act, the trustees shall hold the land upon such terms and conditions and with such rights and powers as may be specified in a scheme framed by the Lord Lieutenant or approved of by him, and any such scheme shall contain provisions for the appointment of new trustees, and for an appeal to the Lord Lieutenant by any person aggrieved by any action or omission of any trustees in carrying the scheme into effect, and for enabling the Lord Lieutenant, on the hearing of any such appeal, to make such order as may appear to him just.

(2) Where any land so purchased is not required for any of the purposes aforesaid it may be disposed of for any public purposes approved of by the Lord Lieutenant.

Regulations as to turbary on holdings.

21.—(1) In the case of the sale of an estate where portion of a holding consists of bog, and the purchaser had not an exclusive right of turbary before such sale, the Land Commission may make regulations, authorising the cutting or making of turf on that bog by any occupiers of land in the neighbourhood of the said holding for whose requirements such turf appears to be necessary, upon such terms, as to payment or otherwise, as may appear to them to be just, and those regulations may confer a right to enter upon any land for the purpose aforesaid.

(2) Regulations under this section shall secure that the cutting or making of turf will not prevent the future reclamation of the bog, and that sufficient turf and pasturage will be left for the use of the proprietor of the holding for a reasonable period.

(3) Regulations under this section shall provide that any person entering upon any land under their authority shall make reasonable amends and satisfaction for any damage done or occasioned thereby.

(4) Any regulations under this section may provide for the punishment of any breach of them by a fine not exceeding five pounds, recoverable in a summary manner.

Power of Land Commission to determine disputes between proprietors of holdings.

22. On the application in the prescribed manner of any proprietors of holdings purchased under the Land Purchase Acts, the Land Commission may, at the request of the parties interested, if they think fit, determine all questions which may arise respecting the boundaries of the holdings, easements or appurtenances, claimed by any of such proprietors against any other proprietors or tenants of holdings.

Certain powers and duties of Land Commission to be exercised by Estates Commissioners.

23.—(1) The jurisdiction, powers and duties of the Land Commission, under the foregoing provisions of this Act, shall be exercised and performed exclusively by three members of the Commission (in this Act referred to as "the Estates Commissioners") to be nominated or appointed as herein-after mentioned. Any question of law may, if the Estates Commissioners think fit, and shall, on the application of any person interested, be referred

for the decision of a Judicial Commissioner, unless the Estates Commissioners certify in writing that the application is frivolous.

(2) Any person aggrieved by any refusal of the Commissioners so to refer any such question may, in the manner prescribed by rules under section sixty-one of the Supreme Court of Judicature (Ireland) Act, 1877, as amended by any enactment, and within the time prescribed by the Judicial Commissioner, apply to the High Court, or any judge thereof, for an order requiring the Commissioners so to refer the question, and the decision of the High Court or judge upon any such application shall be final.

(3) One of the Estates Commissioners shall be an existing member of the Land Commission, to be nominated by the Lord Lieutenant, and the others shall be persons to be appointed by His Majesty, by warrant under the Royal Sign Manual, as additional members of the Land Commission.

(4) The persons so appointed shall be paid out of money provided by Parliament an annual salary of two thousand pounds.

(5) The Estates Commissioners shall hold office during pleasure, but any Estates Commissioner shall only be removed from his office by an Order in Council, and any such Order shall be laid before each House of Parliament forthwith, and, if an Address is presented to His Majesty by either House of Parliament, within the next subsequent forty days on which that House has sat next after any such Order is laid before it, praying that the Order may be annulled, His Majesty in Council may annul the Order, and it shall thenceforth be void.

(6) Whenever a vacancy occurs in the office of a person so nominated or appointed by his death, resignation, inability to act or otherwise, or of any person appointed in his place, His Majesty may, if he thinks fit, by warrant under the Royal Sign Manual, appoint some person to fill the vacancy.

(7) The two vacancies occurring next after the commencement of this Act in the number of the members of the Land Commission other than the Judicial Commissioner or an Estates Commissioner, shall not be filled.

(8) The Estates Commissioners, in carrying the foregoing provisions of this Act into effect, shall be under the general control of the Lord Lieutenant, and shall act in accordance with such regulations as may be made by him from time to time.

(9) For the purpose of assisting the Estates Commissioners in carrying the aforesaid provisions into effect, the Lord Lieutenant may, after consultation with the Land Commissioners, nominate such officers of the Land Commission and may, with the consent of the Treasury as to number and remuneration, appoint or authorise the employment of such other persons as may be necessary, and the remuneration of those persons shall be paid as part of the expenses of the Land Commission.

(10) Such officers and other persons shall perform such duties as may be assigned to them by the Estates Commissioners.

(11) Sales of estates to the Estates Commissioners and sales by those Commissioners to tenants and others may be negotiated by any land agents, solicitors or land clerks nominated with the

approval of the Estates Commissioners by the vendors, or, in the absence of such nomination, may be negotiated by any persons approved by those Commissioners, at a fixed price or percentage, according to a scale to be settled by the Estates Commissioners with the assent of the Treasury, and such price or percentage shall be paid as part of the expenses of the Land Commission.

(12) Where, in the case of the sale of an estate to persons other than the Land Commission, an agent has been employed by the vendor to negotiate the sale, such sum as may be sanctioned by the Estates Commissioners may, with the consent of such vendor, be paid to that agent out of the purchase money as part of the costs connected with the sale.

(13) The Judicial Commissioner and the Estates Commissioners may, subject to the approval of the Lord Lieutenant and after consultation with the President of the Incorporated Law Society of Ireland, make rules for carrying into effect the foregoing provisions of this Act, and those rules shall among other things provide for the making of such investigations and the performance of such other duties, by the aforesaid officers and persons, as may be requisite and practicable, with a view to limiting the costs and expenses of persons applying to the Land Commission to purchase land in pursuance of those provisions, and the expression "prescribed" in those provisions means, unless the context otherwise requires, prescribed by those rules.

(14) Periodical reports of the proceedings of the Estates Commissioners shall be made by them, in such form and at such times as the Treasury may prescribe, and those reports and all rules under the last preceding subsection shall be laid before Parliament as soon as may be after they are made.

Purchase Money of Estates.

Distribution of purchase money.

24.—(1) In the case of the sale of an estate to persons other than the Land Commission, so soon as a holding or parcel of land comprised in the estate is vested in the purchaser, the Land Commission shall, in pursuance of subsection one of section fourteen of the Act of 1887, pay the purchase money into the Bank of Ireland, and make an order attaching claims to the purchase money, which shall be as effectual for that purpose as a vesting order made by the Land Commission vesting land in them.

(2) Where land is vested in the Land Commission by a vesting order made by them, or where money is paid into the Bank of Ireland as aforesaid, the Commission shall, subject to the provisions of this Act, pay interest on so much of the purchase money as is for the time being undistributed, at the rate of three and a half per cent. per annum, from the date of the order or the payment into the Bank, as the case may be, until the whole of the purchase money is distributed, and the said interest shall be paid to the person in receipt of the rents of the land at the date of the agreement for sale, or such other person as may appear to the Land Commission to be entitled thereto.

(3) If, in the case of an estate sold to persons other than the Land Commission, the dividends upon the investments representing

the purchase money are insufficient for the payment of the said interest, the deficit shall be paid out of the purchase money.

(4) For the purpose of giving effect to this enactment, the Land Commission may, if they think fit, in the case of a terminable charge, satisfy the same by the investment, in any securities in which trustees are by law authorised to invest trust money, of a capital sum the annual income of which will be sufficient to satisfy the annual amount of the charge.

(5) The owner of any superior or intervening interest, or any incumbrancer, may at any time apply to the Land Commission for an order that payment in respect of the annual income of his claim be made to him, out of the interest on the purchase money or the dividends upon the investments representing the purchase money, as the case may be, and in such case the Commission, if they are satisfied that the justice of the case so requires, may make the order accordingly. In this subsection the expression "the annual income" shall include the annual amount payable in respect of the premiums on any policy of insurance, where those premiums are charged upon land.

(6) The Land Commission shall, as soon as practicable, distribute the purchase money to the persons entitled thereto whose claims upon that money have been ascertained, and, for the purpose of such distribution, may ascertain in the prescribed manner the amount or value of any such claim, and discharge, redeem or satisfy the same out of the said money, and any charge or incumbrance may be paid off notwithstanding any direction, proviso or covenant to the contrary contained in any instrument.

(7) After the vesting order or the payment into the Bank of Ireland, as the case may be, has been made, no proceedings shall be taken, without leave of the Land Commission, in respect of any claim against the purchase money or the income thereof.

(8) In the case of the sale of an estate, where at the date herein-after mentioned, arrears of rent were due in respect of any holding on the estate, a sum equivalent in amount to those arrears, but not exceeding in any case one year's rent, shall be paid out of the purchase money to the person who would have been entitled to receive those arrears for his own use. The aforesaid date shall be, in the case of an estate purchased by the Land Commission, the date of the agreement for that purchase, and, in the case of an estate purchased by other persons, the date of the agreement for the purchase of the holding.

(9) The Land Commission may cause their officers to make such investigations and perform such other duties as may be requisite and practicable, for the purpose of ascertaining title to and distributing the purchase money, and such ascertainment and distribution shall, to such extent as may be sanctioned by the Treasury, be made without charge to the persons entitled to the purchase money, and, for the purposes aforesaid, all searches directed by the Land Commission in the Local Registration of Title Office and Registry of Deeds and Registry of Judgments, shall be made without charge.

(10) The Land Commission shall have and may, without application being made to them, exercise, for the purpose of facilitating the completion of sales under this Act, including the distribution of purchase money, all the powers in that behalf conferred on them by the Land Purchase Acts in the case of sales from landlords to tenants.

(11) For the purposes of this section, the Land Commission shall, in addition to any other powers which they possess, have all the powers vested in the High Court by virtue of sections seventy-eight and seventy-nine of the Lands Clauses Consolidation Act, 1845, and those sections shall apply to the Land Commission, with such modifications as may be prescribed, as if purchase money distributable under this section were money paid or deposited under those sections. 8 & 9 Vict. c. 18.

(12) Proceedings by the Land Commission under this section shall not be removed into any court or be restrained by any court, and, save as provided by this section and section forty-one of the Act of 1896, no appeal shall lie from any decision of the Land Commission.

(13) An appeal shall lie to the Court of Appeal from any decision under this section given by a Judicial Commissioner, or to which he is a party, and the decision of the Court of Appeal on any question other than one of law shall be final.

Closing day.

25.—(1) Where an order is made by the Land Commission attaching claims to the purchase money, or where an agreement for the purchase of land is entered into by the Land Commission, the order or agreement, as the case may be, shall specify a date, in this Act referred to as "the closing day," being not more than twelve months from the date of the order or agreement.

(2) If on the closing day the title of any person whose claim has been so attached to the purchase money, whether as vendor or incumbrancer or owner of a superior or intervening interest, is not established, and if a portion of the purchase money equivalent to the amount of his claim has not been invested in pursuance of the powers conferred by subsection one of section fourteen of the Act of 1887, then, until his title is established, interest in respect of the claim shall not be payable out of the purchase money or recoverable under any agreement or covenant, at a higher rate than the rate payable by the Land Commission to the National Debt Commissioners in respect of outstanding advances:

Provided that this subsection shall not apply in any case where the Land Commission are satisfied that it is not owing to any act or default of such person that his title is not established and the amount of his claim invested as aforesaid.

For the purpose of this enactment interest shall be calculated on the redemption price of a superior or intervening interest.

(3) If any person interested in the purchase money, by himself or any agent or solicitor, is guilty of any delay in taking any step in the proceedings for the ascertainment of claims, which it is his duty to take or which he has been ordered to take, and such delay is, in the opinion of the Land Commission, inexcusable, the Commission may by Order deprive him of the whole or any part

of the interest to which he would have been entitled under the foregoing provisions of this Act.

(4) Notwithstanding anything in this section any vendor or incumbrancer may apply to the court to invest the purchase money, pending distribution, in any of the securities from time to time authorised by law for the investment of trust funds.

Sale of lunatic's estate.

26. Where a person, who would otherwise be entitled to sell land under the Land Purchase Acts, is a lunatic, the Lord Chancellor may order the land to be sold as if the sale was required for one of the purposes mentioned in section sixty-three of the Lunacy Regulation (Ireland) Act, 1871, and that section shall apply accordingly.

34 & 35 Vict. c. 22.

General Finance.

Substitution of cash payments for guaranteed land stock.

27. Advances for the purposes of the Land Purchase Acts shall, in the case of agreements entered into after the passing of this Act, be made by means of money and not by means of guaranteed land stock; and any sums required for those purposes shall be issued out of a special fund, to be under the control of the National Debt Commissioners and to be called the "Irish Land Purchase Fund."

Raising of new $2\frac{3}{4}$ per cent. stock.

28.—(1) For the purpose of raising the money required for the Irish Land Purchase Fund, the Treasury may, by warrant addressed to the Bank of England or Bank of Ireland, direct the creation of a new capital stock (to be called "Guaranteed two and three-quarters per cent. stock," and in this Act referred to as "the stock") consisting of perpetual annuities, yielding dividends at the rate of two and three-quarters per cent. per annum on the nominal amount of the capital.

(2) The annuities shall be payable by equal half-yearly or quarterly dividends, at such times in each year as may be fixed by the warrant first creating the stock.

(3) The stock shall not be redeemable until after the expiration of thirty years from the commencement of this Act, but on and after that date shall be redeemable, after three months notice published in the London Gazette and in the Dublin Gazette, at the rate of one hundred pounds sterling for every one hundred pounds of stock, together with the payment of all arrears of interest.

(4) Any sums raised by means of the stock, after providing for the expenses of issue, shall be carried to the credit of the capital account of the Irish Land Purchase Fund.

(5) The stock may be issued at such times, in such amounts and subject to such conditions as to payment of deposits and instalments and the issue of scrip certificates carrying dividends and otherwise, as the Treasury direct.

Charge on Consolidated Fund.

29.—(1) The dividends on the stock shall be paid out of the income of the Irish Land Purchase Fund and, if that income is insufficient, shall be charged on and paid out of the Consolidated Fund of the United Kingdom or the growing produce thereof.

(2) Any sums so paid out of the Consolidated Fund shall be treated as a temporary advance to the Irish Land Purchase Fund and shall be made good out of the Guarantee Fund.

Temporary borrowing by National Debt Commissioners.

30. Instead of issuing stock, the Treasury may authorise the National Debt Commissioners to borrow temporarily for the purposes of the Irish Land Purchase Fund, on such terms as the Treasury may approve, and any sums so authorised to be borrowed may be lent by the National Debt Commissioners, out of any cash balance in their hand available for investment, or by the Bank of England or Bank of Ireland, and shall be repaid out of the next subsequent issue of the stock or out of any money standing to the credit of the capital account of the Irish Land Purchase Fund. The interest on any money so borrowed shall be charged on the income of the Irish Land Purchase Fund in like manner as dividends on stock.

Transfer stock.

33 & 34 Vict. c. 71.

31. The stock shall be transferable in the books of the Bank of England and the Bank of Ireland in like manner as other stock transferable under the National Debt Act, 1870, and shall be subject to the provisions of that Act and any enactment amending that Act, so far as is consistent with the tenor of this Act.

Remuneration of Banks of England and Ireland.

32. For the purpose of calculating the annual sums payable to the Bank of England and the Bank of Ireland for the management of the National Debt, the stock shall be considered as part of the National Debt inscribed in the books of the Bank of England and the Bank of Ireland, but the annual sums so payable shall be paid as part of the expenses of the Land Commission.

Accounts of National Debt Commissioners.

33. Accounts of the receipts and expenditure of the Irish Land Purchase Fund, both as regards capital and income, shall be kept by the National Debt Commissioners, and those accounts shall be audited by the Comptroller and Auditor-General, and the accounts when audited shall be laid before Parliament.

Employment of balances by National Debt Commissioners.

34.—(1) Any money for the time being standing to the credit of the capital or income account of the Irish Land Purchase Fund may be applied in payment of any sums charged on that fund or for advances under this Act.

(2) Any balance standing to the credit of the capital or income account of the Irish Land Purchase Fund may be temporarily invested by the National Debt Commissioners, in manner approved by the Treasury.

Land Commission accounts.

35.—(1) For the purposes of this Act, the Land Commission shall keep such accounts, containing such particulars and entries as the Treasury may direct, and shall furnish those accounts to the Treasury, as and when required by the Treasury.

(2) The accounts of the Land Commission shall be audited in such manner as the Treasury may prescribe.

Repayment by Land Commission to National Debt Commissioners.

36.—(1) Interest at the rate of two and three-quarters per cent. per annum shall be paid by the Land Commission to the National Debt Commissioners on all sums advanced under this Act by the National Debt Commissioners to the Land Commission and not certified by the Commissioners to have been repaid.

(2) Where advances are made by the Land Commission, the Land Commission shall, until the advances are ascertained to have

been repaid, pay to the National Debt Commissioners in respect of those advances ten shillings per cent. per annum, which shall be treated as a sinking fund for accumulation and, for this purpose, shall be credited to the capital account of the Irish Land Purchase Fund, and applied to the purchase of the stock, or invested in further advances under this Act, or temporarily invested in the purchase of securities approved by the Treasury.

(3) Where the Land Commission purchase any land, no sums on account of sinking fund shall be payable until the Land Commission have disposed of that land to purchasers, or until the expiration of five years from the vesting of the land in the Commission, whichever shall be the sooner, but during any period which may intervene, between the expiration of the five years and the disposal of the land, payments on account of sinking fund shall be made at the rate of ten shillings per cent. per annum.

(4) If at any time the said annual payments shall be in arrear for forty days, the amount in arrear shall be charged on and forthwith made good out of the Guarantee Fund.

(5) Payments by the Land Commission under the preceding subsections shall be made at such times in each year as may be prescribed by the Treasury.

(6) Where, by reason of any stock having been issued at a discount, the sums payable in any financial year by the Land Commission under this section, in respect of advances to them of money raised by means of stock, are insufficient to pay the dividends on the total amount of the stock outstanding, together with ten shillings per cent. on the portion of the stock representing the advances on which such ten shillings per cent. is payable by the Land Commission, the amount of the deficiency shall be made good out of the Guarantee Fund.

(7) Where, by reason of the issue of any stock at a premium, the sums payable in any financial year by the Land Commission under this section, in respect of advances to them of money raised by means of stock, are more than sufficient to pay the dividends on the total amount of the stock outstanding, together with ten shillings per cent. on the portion of the stock representing the advances on which such ten shillings per cent. is payable by the Land Commission, the surplus shall be applied in the first instance in repaying, in manner prescribed by the Treasury, to the Guarantee Fund any sums paid out of that fund under the preceding subsection, and any balance shall be carried to a reserve account and applied in or towards discharging any future liability of the Guarantee Fund under the preceding subsection, or to such other purposes connected with the Irish Land Purchase Fund as the Treasury may approve.

Drafts on Land Purchase Fund.

37. The Lord Lieutenant, with the approval of the Treasury, may make regulations for the purpose of determining the persons entitled to draw on the Irish Land Purchase Fund, on behalf of the Land Commission, and the manner in which drafts may be made.

Allocation of portion of Irish development grant to land purchase.

38. If, by any Act passed in the present session, provision is made for an Ireland development grant, the following provisions shall have effect:—

Out of this grant a sum of twenty thousand pounds shall in each financial year be paid to the Congested Districts Board, and a sum of fifty thousand pounds shall, in each financial year, up to and including the year ending on the thirty-first day of March nineteen hundred and seven, be carried to the income account of the Irish Land Purchase Fund, and the residue of the grant during the period aforesaid, and subsequently the whole grant, shall form part of the cash portion of the Guarantee Fund. So far as any portion of the amount, so credited to the Guarantee Fund, is required for the purpose of making good any deficiency in respect of the issue at a discount of any stock issued under this Act, that portion shall be applied for that purpose next before the grant described, in section five of the Act of 1891, as the Irish Probate Duty Grant, and now represented by the death duty grant payable under section nineteen of the Finance Act, 1894, and any portion of the remainder required for the purposes of the Guarantee Fund shall be applied thereto next after the agricultural grant under the Local Government (Ireland) Act, 1898.

57 & 58 Vict. c. 30.

61 & 62 Vict. c. 37.

Trinity College, Dublin.

39.—(1) There shall be paid to the public trustee out of the Ireland Development Grant, subject to the provisions of the last preceding section, the sum of five thousand pounds per annum for the account of Trinity College, Dublin.

(2) The said sum shall be applied by the public trustee in indemnifying the college against any loss of income arising from the redemption, under the Land Purchase Acts, of any superior interest owned by the college, that is to say, the difference between the annual income payable in respect of the superior interest and the annual income of the investment, in which the redemption money of the superior interest is invested.

(3) Any portion of the said sum of five thousand pounds, which in any year is not required to make good loss of income to the college, and any accrued interest thereon shall be invested by the public trustee and may be applied in any subsequent year to make good future loss.

(4) The investment of the redemption money of any superior interest owned by the college shall be made and may only be varied in accordance with the advice of the public trustee.

Amendment of law relating to Guarantee Fund.

40.—(1) After the thirty-first day of March next after the passing of this Act, there shall be paid to the Guarantee Fund, in respect of the cash portion thereof, the agricultural grant under the Local Government (Ireland) Act, 1898, and the said grant shall be applicable to the purposes of the cash portion of the said Guarantee Fund next after the death duty grant payable under section nineteen of the Finance Act, 1894.

61 & 62 Vict. c. 37.

57 & 58 Vict. c. 30.

(2) The annual sum payable under paragraph (*b*) of section fifteen of the Agriculture and Technical Instruction (Ireland) Act,

62 & 63 Vict. c. 50.

1899, shall form part of the contingent portion of the Guarantee Fund, and shall be available for the purposes thereof next after the grant substituted for the grant in aid of the cost of maintenance of pauper lunatics.

(3) Instead of the limit of twenty-five times the share of a county in the Guarantee Fund, imposed by subsection one of section nine of the Act of 1891, there shall be substituted the limit of thirty times such share.

(4) Instead of the limit of fifty times the share of a county in the Guarantee Fund, imposed by subsection one of section one of the Purchase of Land (Ireland) Act, 1901, there shall be substituted the limit of sixty times such share.

1 Edw. 7. c. 2.

Power to adapt previous provisions.

41. The power of making rules, conferred on the Treasury by the Land Purchase Acts, shall extend to the making of rules for carrying the financial provisions of this Act into effect, and for adapting to the requirements of this Act such provisions of the Land Purchase Acts, passed prior to this Act, as relate to finance.

Power to invest in stock.

42. All persons, including the National Debt Commissioners, shall have the like power of investing in the stock as they have in consolidated stock.

Provision for expenses of improvements.

43.—(1) The Treasury may, on the request of the Land Commission, direct the advance, out of the reserve fund established under paragraph (*b*) of subsection two of section five of the Act of 1891, of such sums as the Land Commission may certify to be required for the benefit or improvement by them of estates and untenanted land.

(2) The Land Commission may at any time repay to the said reserve fund any portion of the amount so advanced.

(3) Regulations made by the Treasury may provide that, where the Land Commission have expended money on the improvement of an estate and in consequence have sold parcels of that estate at an enhanced price to tenants or others, the National Debt Commissioners may advance to the Land Commission, for repayment to the reserve fund, such sums as represent the increase of price consequent on the improvements.

(4) Where the Land Commission have expended money on the improvement of a holding, any increase of price obtained by them, in consequence of any improvements effected on the holding, shall not be taken into account for the purposes of section one of this Act.

Provision for sale at a loss of congested estates.

44.—(1) On the completion of the re-sale of any congested estate, purchased by the Land Commission, an account shall be prepared showing the profit or loss in connection with the purchase and re-sale of the whole of the congested estates purchased and re-sold up to date.

(2) If the account shows on the whole of the transactions a net loss, that is to say, an excess in the amounts paid by the Land Commission over the capital sums realised by the Land Commission for re-sales, interest at the rate of two and three-quarters per cent. and sinking fund at the rate of ten shillings per cent. per annum

on the amount of the said net loss, within a limit of ten per cent. per annum of the aggregate sums realised by the re-sale of the estates, shall, in accordance with rules made by the Treasury, be paid as part of the expenses of the Land Commission and credited to the Irish Land Purchase Fund, until the amount of the loss is discharged.

(3) In calculating the profit and loss on the purchase and re-sale of congested estates, no account shall be taken of any money expended by the Land Commission for the benefit or improvement of the estates, nor of any increase of price obtained by them in consequence of such expenditure.

Repayments by Purchasers.

Payment to Land Commission in respect of advances.

45. As regards advances under the Land Purchase Acts, in pursuance of agreements entered into after the passing of this Act—

(1) Every advance shall be repaid, in the manner and at the times prescribed by the Treasury, by means of a purchase annuity calculated at the rate of three pounds five shillings for every hundred pounds of the advance and so, in proportion, for any less sum:

(2) The purchase annuity shall be paid until the whole of the advance, in respect of which it is payable, is ascertained in manner prescribed by the Treasury to have been repaid:

(3) Section twenty-five of the Act of 1896, relating to the mode of calculating purchase annuities, shall not apply.

Redemption of purchase annuities.

46.—(1) Every purchase annuity under this Act or any part thereof at any time outstanding may be redeemed, in whole or in part, by the person liable to pay that annuity, by payment to the Land Commission of the difference between the accumulated sinking fund and the sum sufficient (after payment of interest to date) to purchase the requisite amount of stock, such amount to be determined in accordance with rules made by the Treasury.

(2) Where a purchase annuity or any part thereof is redeemed, the National Debt Commissioners shall, in manner prescribed by the Treasury, cancel the aforesaid amount of the stock.

(3) Any rules under this section shall, as soon as may be after they are made, be laid before both Houses of Parliament.

Land Purchase Aid Fund.

Land Purchase Aid Fund.

47.—(1) There shall be established, as part of the Irish Land Purchase Fund, a fund to be called the "Land Purchase Aid Fund," and there shall, in each financial year, be paid out of that fund to the Land Commission such sums as the Treasury, on the request of the Land Commission, may sanction, provided that the total of the sums so paid shall not exceed twelve million pounds.

(2) The sums required for the Land Purchase Aid Fund shall be raised by the issue of guaranteed two and three-quarters per cent. stock, as by this Act provided, and a sum sufficient to pay

the dividends on the amount of stock issued for the purposes of this section, together with ten shillings per cent. per annum by way of sinking fund, shall be paid in each year to the Irish Land Purchase Fund out of money provided by Parliament.

(3) The provisions of this Act with reference to the repayment of advances by the Land Commission to the National Debt Commissioners shall not apply to advances under this section.

Allocation of fund.

48.—(1) For the purpose of aiding the sale of estates under this Act, the Land Commission may, in the prescribed manner and at the prescribed time, out of advances by the National Debt Commissioners from the said fund, pay to the vendor of each estate sold a sum calculated at the rate of twelve per cent. on the amount of the purchase money advanced under the Land Purchase Acts:

Provided that, where an estate is so encumbered that the vendor is not entitled to receive for his own use any part of the rents or profits thereof or where the percentage is payable in respect of an estate sold by the Land Judge, the percentage shall be added to the purchase money and shall not be paid to the vendor.

(2) In estimating the amount of the purchase money on which the percentage is to be payable, the price of any land re-sold to the vendor of an estate shall be excluded.

(3) After the expiration of five years from the commencement of this Act and thereafter at each quinquennial period, the Treasury may revise the percentage for the purpose of adjusting the relation between the unexpended balance of the fund and the claims which may be made upon it, and in such case the revised percentage shall apply to all agreements for the purchase of estates entered into after the date of its publication.

(4) This section shall not apply to any estate sold by the Land Judge where the estate is so circumstanced that it would, independently of the Act of 1896, be sold without the consent of the owner as to price, or to any estate so circumstanced in respect of which an absolute order for sale by the Land Judge was in force at the date of the passing of this Act, or to any estate sold by a mortgagee in possession.

Fees and Stamps.

Registration fees.

49. No fee shall be payable in the Local Registration of Title Office on the registration of the ownership of any land purchased by the Land Commission or the Congested Districts Board, or for any land certificate issued to the Commission or Board or any purchaser from them.

Stamp duty.

50. No stamp duty shall be payable on any order or instrument made or issued under the Land Purchase Acts or Part Two of this Act, whereby any land, in respect of which an advance is made under those enactments, is vested in any person or is conveyed or agreed to be conveyed to any person.

Trustees.

51.—(1) Where any land, purchased by means of an advance under the Land Purchase Acts, is settled land within the meaning of the Settled Land Acts, 1882 to 1890, the trustees of the settlement may, notwithstanding anything contained in the settlement, on the request of the tenant for life and without the consent of any other person, invest the purchase money or any part thereof, not only in any investment in which trustees are by any Act authorised to invest trust funds, but also in— Enlargement of powers of trustees as to investment of purchase money.

(*a*) Bonds, debentures or mortgages secured upon rates or taxes levied, under the authority of any Act of Parliament or Provisional Order, by any municipal corporation or other local authority in the United Kingdom which shall be authorised to borrow on such security;

(*b*) Ground rents arising out of hereditaments in the United Kingdom and not exceeding in amount one-fourth part of the annual value at a rack rent of the premises out of which such ground rents issue;

(*c*) Debentures or mortgages of railway companies in the United Kingdom incorporated by Act of Parliament;

(*d*) Stocks or shares of any tramway or light railway, dividends upon which are guaranteed under the Tramways (Ireland) Acts, 1860 to 1900;

(*e*) Bonds, debentures or mortgages secured upon any investments in which trustees are authorised by this or any other Act to invest trust funds;

(*f*) Debentures or fully-paid shares or stocks of any railway which for the ten years immediately preceding the date of investment has paid a dividend on its ordinary shares:

Provided that the sufficiency of any such investments, as are herein-before in this section recited, to realise the sum invested therein, upon the death of the tenant for life or the termination of the trust, shall be secured to the satisfaction of the public trustee under this Act; and also in—

(*g*) Any investment authorised by the rule-making authority under section sixty-one of the Supreme Court of Judicature (Ireland) Act, 1877, as amended by any enactment. 40 & 41 Vict. c. 57.

(2) That authority shall cause to be published from time to time in the Dublin Gazette a list of such investments as may, for the time being, be authorised by them for the investment of purchase money under this section.

(3) A trustee shall not incur any liability by reason of any investment made in pursuance of the powers conferred by this section.

(4) In the case of all proceedings in relation to any lands sold under the Land Purchase Acts, or any charges thereon, or any moneys realised thereby, if it appears to the court that a trustee is or may be personally liable for any breach of trust, whether the transaction alleged to be a breach of trust occurred before or after the passing of this Act, but has acted honestly and reasonably and ought fairly to be excused for the breach of trust and for omitting

to obtain the directions of the court in the matter in which he committed such breach, then the court may relieve the trustee, either wholly or partly, from personal liability for the same.

Public trustee.

52.—(1) For the purpose of the Land Purchase Acts there shall be a public trustee.

(2) The public trustee shall be a corporation under that name, with perpetual succession and an official seal, and may sue and be sued under that name.

(3) The Lord Lieutenant shall appoint a fit person to the office of public trustee to hold that office during pleasure.

(4) The public trustee shall, out of money provided by Parliament, be paid such salary as the Treasury may sanction.

(5) The public trustee may employ such officers and persons as, subject to the sanction of the Treasury, he may find necessary for the purposes of this Act, and those officers and persons shall be remunerated at such rates and in such manner as the Treasury may sanction, and the expenses of and incidental to the office of public trustee shall be paid as part of the expenses of the Land Commission.

(6) No fees shall be payable to the public trustee for any services rendered by him under this Act.

(7) The public trustee shall not incur any liability by reason of any act or thing done by him, in good faith, in pursuance of the provisions of this Act.

(8) The public trustee may hold property jointly with any persons or corporation aggregate or sole, and under that name may be entered in the books of any company or person as holder, either alone or jointly with any person, of stock, shares or securities entered in such books.

(9) The order of the public trustee, given under his seal, shall be a necessary and sufficient authority to any such company or person for the transfer of any such stock, shares and securities, so far as respects the interest of the public trustee.

(10) Where any settled land has been purchased by means of an advance under the Land Purchase Acts and there is no trustee of the settlement, the public trustee may be appointed by the Land Commission to be trustee of the settlement.

(11) Where the trustees of any such settlement refuse or neglect to invest the purchase money in any securities authorised in pursuance of the last preceding section, the tenant for life may apply to the Land Commission to substitute the public trustee for those trustees, and the Land Commission may by order make such substitution accordingly.

(12) The trustees of any such settlement may apply to the Land Commission to be discharged from their trust and that the public trustee be appointed in their place, and the Land Commission may, if they think fit, make an order accordingly.

(13) Where the public trustee is appointed trustee of any settlement under the provisions of this section, the Land Commission may make such further or other orders as may be necessary for the purpose of vesting the trust funds in him, or otherwise as the circumstances of the case may require.

(14) The powers conferred on the Land Commission, by the foregoing provisions of this section, may be exercised by the Land Judge in any case where the purchase money of land, sold under the Land Purchase Acts, is distributable or has been distributed by him, and those provisions shall apply accordingly with the substitution of the Land Judge for the Land Commission.

(15) Rules may be made by the Land Judge and the Land Commission, with the approval of the Lord Lieutenant, for the purpose of carrying this section into effect and for regulating the exercise of the powers and duties of the public trustee, and in particular may provide that the trustee shall, on the request of any person proposing to sell an estate, give an estimate of the probable financial effect of such sale.

Miscellaneous.

Limitation on advances in certain cases.

53. Notwithstanding anything in the Land Purchase Acts imposing a limit on advances, the following provisions shall have effect:—

(1) If the tenancy in a holding was created after the first day of January in the year nineteen hundred and one, an advance in respect of the purchase of the holding shall not, together with the amount (if any) of any previous advance under the Land Purchase Acts then unrepaid by the purchaser, exceed five hundred pounds: Provided that, in the case of a holding situate in an administrative county or in a riding of any such county, which does not comprise a congested districts county, the said limitation may, subject to the other limitations in the Land Purchase Acts, be exceeded where the Land Commission consider that a larger advance may be sanctioned to any purchaser, without prejudice to the wants and circumstances of other persons residing in the neighbourhood: Provided also that this section shall not apply to the case of a former tenant, or a person nominated by the Land Commission as his personal representative, purchasing his former holding or part thereof, or to the case of a tenancy created by the Congested Districts Board.

(2) No advance, under the Land Purchase Acts, shall be sanctioned by the Land Commission to any one purchaser of land held under a letting made by any Court or Judge exceeding the sum of one thousand pounds, save where the land is resold to the vendor of an estate: Provided that the limit in this subsection may, where the Land Commission consider it expedient under the circumstances mentioned in the preceding subsection, be extended to two thousand pounds.

(3) Nothing in this section shall affect any estate as to which a request by the Land Judge issued to the Land Commission, under the said section forty, prior to the passing of this Act.

Restrictions on subdivision and incum-

54.—(1) As between the Land Commission and the proprietor for the time being of any holding, for the purchase of which the

brance of holding.

Land Commission have after the commencement of this Act made any advance under the Land Purchase Acts, the following conditions shall be imposed, that is to say:—

(*a*) The holding shall not be subdivided or let without the consent of the Land Commission, and if the proprietor subdivides or lets the holding or any part thereof without such consent, the Land Commission may cause the holding to be sold:

(*b*) Where the title of the holding is divested from the proprietor by bankruptcy, the Land Commission may cause the holding to be sold:

(*c*) Where, on the decease of the proprietor, the holding would, by reason of any devise, bequest, intestacy or otherwise, become subdivided or vested in more than one person, the Land Commission may require the holding to be sold within twelve months after they become aware of the death of the proprietor to some one person, and, if default is made in so selling the holding, the Land Commission may cause the holding to be sold:

Provided that the Land Commission, instead of requiring or causing a holding to be sold, may, in the prescribed manner and on the prescribed request by any person interested, nominate some person interested in the holding to be the proprietor of the holding, and provide for the satisfaction of the claims of other persons interested, including any creditors of the deceased, by charging them upon the holding or otherwise.

(2) Not more than one person shall, without the consent of the Land Commission, be registered as the owner of the holding under Part IV. of the Local Registration of Title (Ireland) Act, 1891.

55 & 56 Vict. c. 66.

(3) The proprietor of the holding shall not, without the consent of the Land Commission, mortgage or charge the holding, or any part thereof, for any sum or sums exceeding in the aggregate ten times the amount of the purchase annuity payable in respect of the holding or part upon the making of the advance, and every instrument of mortgage or charge on a holding or part thereof, by which the holding or part is charged with any larger sum, shall be null and void as to the excess. Where part of a holding is mortgaged or charged, the Land Commission shall, for the purpose of this enactment, estimate the amount of the purchase annuity payable in respect of that part. The consent of the Land Commission under this enactment may, in the case of a charge created by a will, be given at any time, whether before or after the death of the testator.

(4) Every instrument of mortgage or charge on the holding executed after the commencement of this Act, other than a charge under any Public Works Act, shall be registered under the Local Registration of Title (Ireland) Act, 1891, as a burden affecting that holding, and, if not so registered within three months from the date of execution by the mortgagor or chargeant, or, in the case of a charge created by will or codicil, within six months from the death of the testator, shall be null and void.

54 & 55 Vict. c. 66.

(5) Subsections two and three of section thirty of the Act of 1881, as amended by any enactment, shall apply to proceedings under this section.

Effect of compulsory sale of holding.

55. Where a holding is put up for sale by or at the instance or with the consent of the Land Commission, the holding shall be sold subject to the purchase annuity (if any) and any charge under any Public Works Acts, but discharged from all other claims or incumbrances of all persons whomsoever who are interested in the holding, and all such claims shall, as from the date of the sale, cease as against the holding and attach to the purchase money, in like manner as, immediately before the date of the sale, they attached to the holding.

Maps and information to be furnished to Land Commission.

56.—(1) The Commissioner of Valuation and Boundary Surveyor shall—

(*a*) furnish the Land Commission with such maps as they may request to be furnished with; and,

(*b*) so soon as he is aware of the subdivision or letting of a holding, in respect of which an advance under the Land Purchase Acts has been made, give information to the Land Commission in the prescribed manner of such letting or subdivision.

(2) When any collector of poor rate becomes aware of any subdivision or letting of any such holding, he shall, as soon as may be, give information thereof to the Commissioner of Valuation and Boundary Surveyor.

(3) The district registrar of births and deaths shall, so soon as he is aware of the death of any person who was, at the time of his death, the proprietor of any such holding, situate in whole or in part within his district, give information to the Land Commission in the prescribed manner of such death.

(4) Every district registrar and collector of poor rates who wilfully neglects to comply with the requirements of this section shall be liable, on summary conviction, to a fine not exceeding two pounds.

(5) The Lord Lieutenant may make rules for carrying into effect the objects of this section, and those rules, while in force, shall have effect as if enacted in this Act.

Liability for interest on purchase money in case of proceedings before Land Judge.

57. Section thirty-five of the Act of 1896 shall apply, in the case of sales to tenants under the Land Purchase Acts, in proceedings before the Land Judge, with the following modifications:—

(1) The date at which interest on the purchase money shall begin to be payable shall be—

(*a*) Where the sales are being effected under section forty of the Act of 1896, the date of the order of the Land Judge directing the offers of the sale of the holdings to be made to tenants;

(*b*) Where the sales are being effected under other provisions of the Land Purchase Acts, the date of the order of the Land Judge accepting the offer of the tenants:

(2) Such interest shall be calculated on so much of the purchase money as is being advanced by the Land Commission, and

shall be paid to and be collected and recoverable by the Land Commission, and subsection two of section thirty-five of the Act of 1896 shall apply accordingly, with the substitution of the date of the said order of the Land Judge for the date of the agreement in the said subsection mentioned and with the modifications in this section mentioned:

(3) The portion of such interest, not liable to be applied under section twenty of the Act of 1887, shall be paid to such person or lodged to such account as the Land Judge may direct:

(4) Where an offer of the Land Judge for the sale of a holding to the tenant thereof is accepted, not more than one year's arrears of rent shall be recoverable from that tenant:

(5) For the purposes of this section the word "landlord" in subsection two of section thirty-five of the Act of 1896 shall include a receiver appointed in any action or matter.

Amendment of 59 & 60 Vict. c. 47. s. 40 with respect to report of Land Commission and certain court lettings.

58.—(1) The report mentioned in paragraph (*a*) of subsection one of section forty of the Act of 1896 shall be made by one commissioner instead of two commissioners, and, where the Land Judge refers such report to the Land Commission for reconsideration, the same shall be reconsidered by three commissioners, who shall have power to confirm or vary the same or to make a new report, but, save as provided by this section, the terms and conditions contained in the report shall not be varied without the consent of the Land Judge.

(2) Paragraph (*b*) of subsection one of the said section forty shall not, unless the Land Judge so directs, apply in the case of a person in occupation under a letting, made by the Land Judge or Receiver Judge, of a holding comprising demesne land or land suitable for building sites in the neighbourhood of a town or village.

(3) Where the Land Commission report that they cannot sanction advances in respect of three-fourths in number and rateable value of the holdings on an estate, the Land Judge may, if he thinks fit, make an order declaring that the provisions of the said section forty shall not apply to that estate, and that section shall thereupon cease to apply.

Power to dispense with requirements respecting rights, boundaries, easements, &c. 21 & 22 Vict. c. 72.

59. For the purpose of facilitating sales under the Land Purchase Acts, the Land Judge may, if he thinks fit, subject to such conditions as may be prescribed by rules under section twenty-three of the Act of 1896, dispense with all or any of the requirements in sections fifty-four, fifty-five and sixty-one of the Landed Estates Court (Ireland) Act, 1858, with respect to the ascertainment of rights, easements and boundaries.

Power to ratify exchange of land in certain cases. 21 & 22 Vict. c. 49.

60.—(1) Where, in the course of proceedings for the sale, under the Landed Estates Court (Ireland) Act, 1858, or the Land Purchase Acts, of an estate, it appears that the owner or any tenants of holdings on the estate are in occupation of portions of an adjoining estate, and that the owner or any tenants of holdings on the adjoining estate are in occupation of portions of the

first-mentioned estate, whether such exchange of occupation is the result of an agreement or is occasioned by the alteration of the course of a stream, or otherwise, the Land Judge or the Judicial Commissioner, as the case may be, may, if he thinks it expedient, with the consent of the owners of the respective estates, or on notice in the prescribed manner to the owners and giving them an opportunity of being heard, make an order ratifying the exchange, and the order or a map or plan annexed thereto shall show the lands given and taken in exchange respectively.

(2) The land taken upon any such exchange shall be deemed to be held by the same tenure and shall, without any conveyance or other assurance in relation thereto, go and enure to and upon the same uses and trusts and be subject to the same rents, conditions, charges and incumbrances, as the land given upon such exchange would have stood limited upon and been subject to if the Order had not been made; and the land given upon such exchange shall be deemed to be held by the same tenure and shall, without any conveyance or other assurance in relation thereto, go and enure to and upon the same uses and trusts and be subject to the same rents, conditions, charges and incumbrances, as the land taken upon such exchange would have stood limited upon and been subject to if the Order had not been made.

(3) All rights and remedies for recovery of rents, payable in respect of either portions of the lands so exchanged, shall be exerciseable in respect of and may be pursued against the lands given or taken upon such exchange, as the case may be, in the same manner as they might theretofore have been exercised or pursued against the lands originally liable thereto.

Apportionment of quit and Crown rents.

61.—(1) If any land, the subject of proceedings for sale under the Land Purchase Acts, is liable, in conjunction with other lands, to any quit rent or other perpetual rent payable to the Crown, the Commissioners of Woods may apportion such rent upon or amongst the several lands liable to the payment thereof, or upon or amongst any part or parts of those lands in exoneration of the remainder thereof, or may charge the whole of any such rent on any part of the lands charged therewith in exoneration of the remainder of those lands.

(2) For the purpose of apportionment or exclusive charge under this section, when any such rent or any portion thereof has been for a period of not less than twenty years, or is under the provisions of any contract, paid in respect of any lands, such rent or portion thereof, as the case may be, shall be deemed to be charged on those lands whether originally so charged or not.

(3) Every such apportionment or exclusive charge shall be binding on the Crown and on every person, and the apportioned parts of any such rent, or any such rent so exclusively charged, shall thenceforth be issuing out of and chargeable upon the lands whereon the same may be apportioned or exclusively charged.

(4) No such apportionment or exclusive charge shall in any manner prejudice or affect any reversion or remainder of the Crown in any lands originally charged with any such rent so apportioned or exclusively charged, nor shall the sale of any apportioned part

of a rent, or of a rent so exclusively charged, or of any interest of the Crown in reversion or remainder in the same land, affect the right or interest of the Crown in any other part of the lands originally charged with any rent so apportioned or exclusively charged, either as regards the part of any rent charged upon those lands and remaining unsold, or the interest in remainder or reversion of the Crown in those lands, or otherwise.

(5) Where such apportionment or exclusive charge has been made, a certificate shall be issued under the hand of the Commissioners of Woods, setting forth the terms thereof, and that certificate shall be conclusive evidence of those terms and of the liability of the lands mentioned therein to the rent or part of a rent so exclusively charged or apportioned thereon. A duplicate of the certificate shall be deposited in the Public Record Office in Dublin.

(6) The Commissioners of Woods may remit, for the determination, under the powers conferred by any existing enactment, of the Land Judge or a Judicial Commissioner, any case under this section involving a question of law or other question which those Commissioners are unwilling to determine.

(7) Rules for the purpose of this section shall be made by the Commissioners of Woods, with the approval of the Lord Chancellor, the Land Judge and the Judicial Commissioner.

As to superior interest where security sufficient.

62.—(1) Where any land sold under the Land Purchase Acts is subject, in conjunction with other lands, to any superior interest, and the Court is satisfied that, for a period of not less than twenty years prior to the sale, no payment has been made in respect of that interest by the owner of the land sold and that the other lands subject thereto are a sufficient security therefor, the purchase money of such land may be distributed without regard thereto.

(2) Where in the like case the Court is satisfied that, for a period of not less than twenty years prior to the sale, payment in respect of a portion only of the superior interest has been made by the owner of the land sold, and that the other lands are a sufficient security for the balance thereof, the purchase money of the land sold may be distributed without regard to that balance.

(3) Where in the like case the Court is satisfied that the land sold is entitled to be indemnified against any claim in respect of a superior interest by other lands and that the other lands are a sufficient security therefor, the Court may, upon such terms (if any) and in such manner as appears equitable, exclusively charge the whole of the superior interest upon the other lands.

(4) The foregoing provisions of this section shall apply with the necessary modifications to any superior interest or portion thereof affecting the land sold, or to the redemption money of such interest or portion, as if the same were land sold.

(5) This section shall not apply to any reversion or estate expectant on the determination of an estate tail or a base fee which is vested in the Crown.

Superior interests not exceeding certain amounts.

63.—(1) Where any superior interest or an apportioned part thereof is redeemed under the Land Purchase Acts and the

redemption price does not exceed thirty pounds, it may be paid to the person in possession or in receipt of the income of the superior interest for his own benefit or, in case of the incapacity of such person, to the guardian, committee, husband or trustees, as the case may be, of such person.

(2) If the redemption price exceeds thirty pounds but does not exceed one hundred pounds, it may be paid to the person in possession or in receipt of the income of the superior interest or to trustees to be appointed or approved by the Land Commission or the Land Judge, as the case may be, upon the undertaking in the prescribed manner of such person or of such trustees to apply the redemption price as if it were capital money arising under the Settled Land Acts, 1882 to 1890.

Amendment of 50 & 51 Vict. c. 33. s. 16 (3) as to fixing redemption price.

64. Notwithstanding anything in subsection (3) of section sixteen of the Act of 1887, if the parties do not within the prescribed time agree upon the redemption price of a superior interest, that price shall be determined by the Judicial Commissioner or the Land Judge, as the case may be.

Power to Land Commission to obtain possession of holding.

65. Where the Land Commission have put up for sale by public auction a holding, which they are entitled to cause to be sold, and the holding has not been sold, the Commission may issue an order to the sheriff to put any person nominated by them in possession of the holding, and the order shall be executed by the sheriff in like manner as a writ for the delivery of possession.

Fire insurance on buildings on land sold under Purchase Acts.

66.—(1) Where the Estates Commissioners or the Congested Districts Board have erected or improved any buildings on any land, in respect of which an advance is made under the Land Purchase Acts, the Land Commission may, if they think fit, insure the buildings against loss or damage by fire and may keep the same insured until the advance has been repaid.

(2) The Land Commission shall pay the premiums on any policy of insurance effected in pursuance of this section, and those premiums shall be a charge on the land purchased, and the amount of each such premium shall be collected by the Commission from the purchaser of the land and shall be recoverable in like manner as a purchase annuity.

Amendment of 59 & 60 Vict. c. 47. s. 38 (3) with respect to apportionment of annuity and guarantee deposit.

67.—(1) The powers for the apportionment of an annuity, or the discharge of portion of a holding from liability in respect of an annuity, conferred by subsection three of section thirty-eight of the Act of 1896, may be exercised where the holding was sold or subdivided before the passing of the Act of 1896.

(2) Where the Land Commission exercise the power of apportionment conferred by the said subsection three, either as amended or not, they may apportion in the same proportions the guarantee deposit (if any) retained to secure the repayment of the advance, and such last-mentioned apportionment may be made without the consent of the owner of the guarantee deposit.

(3) Where any land upon which portion of a purchase annuity has been charged by the Land Commission is conveyed to the proprietor of a holding subject to a purchase annuity, that holding and the land so conveyed shall be deemed one holding, and the said

annuity and portion shall be payable in such manner and subject to such conditions as may be prescribed.

Extension of 59 & 60 Vict. c. 47. s. 29 (2) to guarantee deposits under any of Purchase Acts.

68.—(1) Subsection two of section twenty-nine of the Act of 1896 (which enables the Land Commission to pay the person entitled thereto the whole or any part of a guarantee deposit) shall apply to any such deposit made or retained in respect of advances under any of the Land Purchase Acts.

(2) Subsection three of the said section twenty-nine is hereby repealed.

Provisions in case of death, &c. of applicant for an advance.

69.—(1) Where an advance under the Land Purchase Acts has been made for the purchase of any land, an order of the Land Commission charging the land shall be valid and effectual notwithstanding that the applicant for the advance may have died.

(2) Where the applicant for the advance has died and there is no legal personal representative of such applicant, or no legal personal representative whose services are available for the sale under the Land Purchase Acts, the Land Commission may, on such terms and conditions (if any) as they may think fit, appoint any proper person to be administrator of the deceased applicant limited to the purposes of that sale, and such limited administrator shall, for those purposes, represent the deceased applicant in the same manner as if the applicant had died intestate and administration had been duly granted to such limited administrator of all the personal estate and effects of the deceased applicant.

54 & 55 Vict. c. 66.

(3) General rules under subsection two of section twenty-three of the Local Registration of Title (Ireland) Act, 1891, shall provide for the registration of the owner of the land in any case to which this section applies.

Removal of restraints on alienation.

70. For the purposes of a sale under the Land Purchase Acts, all covenants, agreements and conditions in any lease or fee farm grant prohibiting, restraining or tending to restrain the alienation of any land held thereunder shall be deemed to be wholly void and inoperative, and so much of section thirty-three of the Landlord and Tenant (Ireland) Act, 1870, and section twenty-nine of the Act of 1881 as requires the waiver or determination of such prohibition is hereby repealed.

33 & 34 Vict. c. 46.

Questions of law.

71. The determination of any question of law arising under the Land Purchase Acts may, on the application of any person interested, or without such application with the consent of the Lord Chancellor, be transferred by the Judicial Commissioner, if he thinks fit, in such manner as Rules under the Judicature (Ireland) Acts, 1877 to 1897, may direct, from the Land Commission to any Division or Judge of the High Court, and any such determination shall have the effect of and be subject to the same right of appeal as a final order of the High Court.

PART II.

CONGESTED DISTRICTS.

Advances to Congested Districts Board.

72.—(1) The sums required by the Congested Districts Board for advances for the purchase of land shall be paid to them out

of advances made by the National Debt Commissioners to the Land Commission under this Act, and all payments so made shall be deemed to be advances made to the Land Commission, for the purposes of the Land Purchase Acts, and shall be treated accordingly.

(2) Until the Congested Districts Board have disposed of the land so purchased by them to purchasers under the Land Purchase Acts, interest shall be paid by the Board to the Land Commission at the rate of two and three-quarters per cent. per annum on all sums so advanced and for the time being outstanding, in such amounts and at such times as may be prescribed: Provided that, if after the expiration of five years any land so purchased has not been disposed of, payments on account of sinking fund, at the rate of ten shillings per cent. per annum, shall be made by the Board to the Commission. All such interest and sinking fund payments shall be a charge on and paid out of the annual income of the Board.

(3) Regulations made by the Treasury may provide that where the Congested Districts Board have expended money on the improvement of an estate and in consequence have sold parcels of that estate at an enhanced price to tenants or others, the National Debt Commissioners may advance to the Land Commission, for repayment to the Congested Districts Board, such sums as represent the increase of price consequent on the improvements.

As to Guarantee Fund in a congested districts county.

73. For the purposes of the Guarantee Fund a congested districts county shall cease to be separated from the county in which it is geographically situate, and the local grants, under the accounts headed "Model Schools and National Schools," shall form part of the contingent portion of that fund throughout the whole administrative county, and the interest on the Church Surplus Grant shall cease to form part of that fund in any electoral division of the county.

Limit as to untenanted land vested in Board.

74. There shall not be at any time vested in the trustees of the Congested Districts Board untenanted lands exceeding in the aggregate, according to the estimate of the Land Commission as approved by the Treasury, the capital value of thirty times the interest on the Church Surplus Grant.

Sales by Congested Districts Board to certain tenants.

75.—(1) Where the Congested Districts Board purchase land for the benefit of a congested districts county, they may sell under the Land Purchase Acts any parcels thereof, which are not required for tenants of holdings in that county, to any tenants or proprietors of holdings, not exceeding five pounds in rateable value, on an estate adjacent to or in the neighbourhood of that land or to any sons of such tenants.

(2) The provisions of this Act with respect to the application of the Land Purchase Acts to parcels of land shall apply in the case of the sale of any such parcel.

Limit of advance in case of vendor repurchasing.

76.—(1) Where a parcel of an estate purchased by the Congested Districts Board is re-sold to the vendor or to the trustees of a settlement, an advance under the Land Purchase Acts may

be made to him, not exceeding in any case one-third of the purchase money of the estate or twenty thousand pounds, whichever is the less.

(2) Subsection four and subsection six of section three of this Act shall apply in the case of any land in respect of which an advance is made in pursuance of this section.

Estates in Court of Land Judge and amendment of law as to registration of land purchased by Board.

77.—(1) For the purpose of the purchase by the Congested Districts Board of an estate from the Land Judge, the provisions of this Act, with respect to the powers and duties of the Land Judge in relation to an offer of the Land Commission, shall apply with the substitution of the Congested Districts Board for the Land Commission.

(2) An order of the Land Judge declaring the Congested Districts Board to be purchasers of any land shall have the effect of a conveyance made by him, and shall also vest in the Board the right to collect and recover any arrears of rent specified in the order, and a certified copy of the order shall be transmitted to the registering authority under the Local Registration of Title (Ireland) Act, 1891, and the trustees of the Board shall thereupon be registered under that Act as the absolute owners of the land.

54 & 55 Vict. c. 66.

Regulations as to turbary on estates purchased by Board.

78. The Congested Districts Board shall have, in the case of an estate purchased by them, all the powers, with respect to regulations authorising the cutting or making of turf on holdings, conferred on the Land Commission by the provisions in that behalf of Part One of this Act, and those provisions shall apply accordingly, with the substitution of the Congested Districts Board for the Land Commission.

Purchase of land by Board.

79.—(1) The Congested Districts Board may enter into agreements for the purchase of land from any person who may be certified by the Estates Commissioners to be a person who may be dealt with as the owner of the land in accordance with the provisions of Part One of this Act or otherwise, and those Commissioners shall, in such manner as may be prescribed by rules to be made by the Lord Lieutenant, prepare all such agreements and make orders consequential thereon vesting land in the trustees of the Congested Districts Board.

(2) Where a vesting order is made in pursuance of this section, the purchase money shall be distributed by the Land Commission in like manner as if it were the purchase money of land vested in the Commission, and all the provisions of Part One of this Act with respect to the distribution of the purchase money of land so vested shall apply accordingly.

Provisions with respect to sanction of advances.

80. Where an application is made to the Land Commission for an advance under the Land Purchase Acts to a person purchasing any land from the Congested Districts Board, and that Board certify that the land is in their opinion sufficient security for the repayment of the advance, the Land Commission shall sanction the advance.

Irrecoverable arrears of annuities to be

81. If at any time the arrears of any purchase annuity payable in respect of an advance sanctioned in pursuance of a certificate

of the Congested Districts Board, are declared by the Land Commission to be irrecoverable, that Board shall pay, out of the interest on the Church Surplus Grant, to the Land Purchase Account, the amount of those arrears.

paid out of interest on Church Surplus Grant.

82.—(1) The Congested Districts Board may exercise the powers conferred on them by section one of the Congested Districts Board (Ireland) Act, 1901, on a request made by not less than three-fourths in number and rateable value of the tenants of holdings situate on any townlands which would be affected by the exercise of those powers, in the event of the request being acceded to.

Amendment of 1 Edw. 7. c. 34 as to request by tenants, and order respecting charges, &c.

(2) The provisions of the said section one as to an order of the county court respecting charges, liabilities and equities affecting a tenant's interest in a holding shall apply where, with the consent of a tenant, the area of his holding is altered, or he is put into possession of a new holding, by the Congested Districts Board.

83. The resumption of a holding during the continuance of a statutory term by the Congested Districts Board may be authorised under subsection six of section five of the Act of 1881 for the purposes of migration or the enlargement of holdings, in addition to the purposes specified in that subsection.

Resumption of holdings by Congested Districts Board.

84. The Under Secretary to the Lord Lieutenant shall be ex-officio a member of the Congested Districts Board in lieu of the member of the Land Commission nominated under subsection one of section thirty-four of the Act of 1891.

Under Secretary to be member of Board.

85. Section eighteen of the Agriculture and Technical Instruction (Ireland) Act, 1899, which makes provision with respect to congested districts counties, is hereby repealed.

Repeal of 62 & 63 Vict. c. 50. s. 18.

Part III.

Land Law.

86.—(1) The Lord Chancellor may nominate any Judge of the High Court, other than the Lord Chief Justice and the Master of the Rolls, to act, for the time specified by him, as an additional Judicial Commissioner of the Land Commission for the purpose of hearing appeals under the Land Law Acts, and the Judge so nominated shall, during that time, have the same jurisdiction as the Judicial Commissioner appointed under the Act of 1881.

As to Land Commissioners.

(2) A Judge of the High Court appointed before the first day of January one thousand nine hundred and two shall not, without his own consent, be nominated under this section.

(3) The Honourable Gerald FitzGerald, one of the Land Commissioners, shall, for the purposes of the Land Law Acts and Land Purchase Acts, but not further or otherwise, in addition to his existing powers, have all the jurisdiction and powers of a Judicial Commissioner, with the same rank and tenure of office as if he had, at the commencement of this Act, been appointed a Judicial Commissioner under the Act of 1881, and shall be entitled

to a superannuation allowance, calculated on a salary of two thousand five hundred pounds and otherwise in accordance with the provisions of the Superannuation Acts, 1834 to 1892.

(4) The Right Honourable Frederick Stringer Wrench shall, if he is nominated as an Estates Commissioner, be paid, in addition to his present salary, a salary of five hundred pounds out of money provided by Parliament.

(5) Murrough O'Brien, esquire, one of the Land Commissioners, and the two Estates Commissioners appointed by His Majesty, shall be entitled to superannuation allowances in accordance with the provisions of the Superannuation Acts, 1834 to 1892.

Constitution of sub-commission.

87. A sub-commission shall, for the purpose of hearing any application under the Land Law Acts, consist of one legal assistant commissioner and one lay assistant commissioner.

Appeals under Land Law Acts.

88.—(1) Any person aggrieved by any order made, under the Land Law Acts, by one Commissioner, not being a Judicial Commissioner, or by a sub-commission, may apply for a re-hearing to the Land Commission, and that Commission may confirm, modify or reverse such order.

(2) All appeals under section forty-seven of the Act of 1881 or re-hearings under this section, and all re-hearings in pursuance of requisitions under section forty-four of the Act of 1881, shall be heard and determined by one Judicial Commissioner, with the assistance of one specially qualified lay assessor, who shall hear the evidence and, on the application of either of the parties, inspect the holding and report thereon to the Judicial Commissioner in the prescribed manner.

(3) On the hearing of any appeal or on any re-hearing, notice of which is lodged after the commencement of this Act, evidence which could have been, but was not, produced in the court below shall be admitted on special grounds only and not without special leave of the Judicial Commissioner who hears the appeal or re-hearing.

(4) In the case of any appeal or re-hearing, where an issue of fact is raised which was raised before the court below, and the Judicial Commissioner who hears the appeal or re-hearing is satisfied that the appellant did not produce before that court material evidence on that issue, which was in his possession or within his procurement, he may order the appellant to pay the whole, or such portion as he may think fit, of the costs of the appeal or re-hearing.

(5) Rules under section fifty of the Act of 1881 may be made by the Judicial Commissioners, with the approval of the Lord Chancellor, with respect to the proceedings under this section in appeals and re-hearings, and those rules shall, among other things, provide for an ad valorem scale of fees to be paid on notices of appeal or re-hearing.

Orders for framing lists of assessors.

89. General orders may be made by the Judicial Commissioners, with the approval of the Lord Lieutenant and the Treasury, for the framing of lists of persons of skill and experience in agriculture to act as assessors under this Part of this Act, and for the

ascertainment of their functions and remuneration, and every person for the time being named in any such list shall give his attendance according to general orders.

Variable head rents.

90. Where, by reason solely of the non-publication of the average prices of produce in the Dublin Gazette, it has become impossible, in the absence of other provision, to determine the amount by which any variable rent, calculable upon an average of prices, should be varied, sections two and three of the Tithe Rent-charge (Ireland) Act, 1900, shall apply as from the commencement of this Act in the case of such variable rents, and the words "tithe rent-charge," in the said sections, shall be deemed to include any variable rent as aforesaid.

63 & 64 Vict. c. 58.

Subdivided holdings.

91. In the construction of subsection three of section five of the Act of 1896, the words "tenants in common" shall be deemed to include two or more persons between whom the holding is divided.

Amendment of 44 & 45 Vict. c. 49. s. 50 (3) as to time within which address may be presented.

92. The period within which an address may be presented in respect of rules under section fifty of the Act of 1881, or under that section as amended by any enactment, shall be forty days instead of one hundred days.

Part IV.

Amendment of Labourers (Ireland) Acts, 1883 to 1896.

Extension of Acts to agricultural workers.

93. The expression "agricultural labourer," in the Labourers (Ireland) Acts, 1883 to 1896 and this Act, shall include any person (other than a domestic or menial servant) working for hire in a rural district whose average wages, in the year preceding the lodgment of any representation under the Labourers (Ireland) Acts, 1883 to 1896, affecting him, do not exceed two shillings and sixpence a day and who is not in occupation of land exceeding one quarter of an acre.

Locality suggested by signatories of representation to be taken into consideration.

94. Before a sanitary authority provide in any improvement scheme for the erection of new buildings in any locality, other than that suggested by the persons who signed the representation in pursuance of which the scheme is framed, they shall take into consideration the wishes of those persons as specified in the representation.

Compensation to agricultural labourers for wrongful dismissal in certain cases.

95. Where any agricultural labourer has made, or concurred in the making of, a representation under the Labourers (Ireland) Acts, 1883 to 1896, and within twelve months thereafter is dismissed from his employment, he may apply to the county court judge for compensation, on the ground that he has been dismissed by reason of his having made, or concurred in making, the representation, and, if in the opinion of the county court judge he was dismissed for the reason aforesaid, the county court judge may award him compensation not exceeding three months' wages.

Scheme under Labourers Acts to be framed by

96.—(1) Where the Land Commission have purchased an estate, or where application is made to the Commission to sanction advances

Land Commission.

for the purchase of holdings comprised in an estate, they shall make inquiry as to whether accommodation is needed for labourers on the estate and, if of opinion that such accommodation is needed, they shall frame a scheme providing therefor.

(2) Every such scheme shall be forwarded to the Local Government Board for Ireland and the council of the rural district in which the land comprised in the scheme is situate, and shall be deemed a representation made to the council under the Labourers (Ireland) Acts, 1883 to 1896, and those Acts shall apply accordingly.

Representation under Labourers Acts.

97. A representation under the Labourers (Ireland) Acts, 1883 to 1896, shall mean a representation signed by not less than six persons, each one of whom is either rated for the relief of the poor within the sanitary district or is included in the definition of an agricultural labourer contained in the said Acts as amended by this Act.

PART V.

SUPPLEMENTAL.

Definitions.

98. In this Act, unless the context otherwise requires,—

(1) The expression "estate" in Part One of this Act means any lands which the Estates Commissioners may declare fit to be regarded as a separate estate for the purposes of this Act, and the said expression in Part Two of this Act has the same meaning, with the substitution of the Congested Districts Board for the Estates Commissioners:

The expression "prescribed," in any case not otherwise provided for, means prescribed by rules made by the Land Commission in the manner directed by subsection six of section twenty-nine of the Act of 1891:

The expression "demesne" includes any mansion house or other buildings thereon:

The expression "vesting order" includes fiat:

The expressions "Registry of Deeds" and "Registry of Judgments" have the same meanings respectively as in the Local Registration of Title (Ireland) Act, 1891:

54 & 55 Vict. c. 66.

1 Edw. 7. c. 30.

The expression "the Land Purchase Acts" includes Part Three of the Act of 1896, the Purchase of Land (Ireland) Act, 1901, the Purchase of Land (Ireland), No. 2, Act, 1901 and Part One of this Act:

The expression "the Land Law Acts" means the Land Law Acts as defined by the Act of 1896 and Part One of that Act:

44 & 45 Vict. c. 49.

The expression "the Act of 1881" means the Land Law (Ireland) Act, 1881:

48 & 49 Vict. c. 73.

The expression "the Act of 1885" means the Purchase of Land (Ireland) Act, 1885:

50 & 51 Vict. c. 33.

The expression "the Act of 1887" means the Land Law (Ireland) Act 1887:

The expression "the Act of 1891" means the Purchase of Land (Ireland) Act, 1891; and 54 & 55 Vict. c. 48.

The expression "the Act of 1896" means the Land Law (Ireland) Act, 1896: 59 & 60 Vict. c. 47.

The expression "the Public Works Acts" means the Drainage and Navigation (Ireland) Acts, 1842 to 1857; the Drainage and Improvement (Ireland) Acts, 1863 to 1892; the Fisheries (Ireland) Act, 1846; the Landed Property and Improvement (Ireland) Act, 1847, and any Act or enactment extending, amending, applying or incorporating the said Acts or any of them or any part thereof; and the Drainage Maintenance Act, 1866.

(2) The expression "superior interest," in the Land Purchase Acts, shall include any reversion or estate expectant on the determination of an estate tail or a base fee, whether such reversion or estate is or is not vested in the Crown.

99. Nothing in this Act shall affect— Sporting rights minerals and water.

(*a*) Any sporting rights, mineral rights or water rights which are not in the possession or enjoyment of the vendor at the time of sale;

(*b*) Any mine or quarry which is being worked or developed by the vendor at the time of sale; or

(*c*) Any right to water power in actual use by the vendor at the time of sale.

100.—(1) Part One of this Act shall be construed as one with the Land Purchase Acts and may be cited with those Acts. Construction.

(2) Part Two of this Act shall be construed as one with the Congested Districts Board (Ireland) Acts and may be cited with those Acts.

(3) Part Three of this Act shall be construed as one with the Land Law Acts and may be cited with those Acts.

(4) Part Four of this Act shall be construed as one with the Labourers (Ireland) Acts, 1883 to 1896, and may be cited with those Acts.

101. This Act may be cited as the Irish Land Act, 1903. Short title.

102. This Act shall come into operation on the first day of November nineteen hundred and three. Commencement of Act.

103. The Acts specified in the schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule. Repeals.

Section 103.

SCHEDULE.

ACTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
44 & 45 Vict. c. 49.	The Land Law (Ireland) Act, 1881.	Section twenty-six, so far as unrepealed, except subsection five. In subsection five from "The land commission may" to the end of the subsection. Section twenty-seven. Section thirty-four, so far as unrepealed, except subsection five. Section forty-four from "with this" to the end of the section. Section forty-seven from "all appeals" to "Judicial Commissioner."
48 & 49 Vict. c. 73.	The Purchase of Land, (Ireland) Act, 1885.	Section five down to "for an advance." Section seven.
50 & 51 Vict. c. 33.	The Land Law (Ireland) Act, 1887.	In section sixteen from "if the parties consent" to "apply to the Land Commission."
54 & 55 Vict. c. 48.	The Purchase of Land (Ireland) Act, 1891.	Section three. In subsection one of section thirty-four from "a member" to "forestry" and the words "the Chief Secretary when absent shall be replaced "by the Under Secretary to the "Lord Lieutenant." Subsections three, four, five, and six of section thirty-six.
54 & 55 Vict. c. 71.	The Labourers (Ireland) Act, 1891.	Section three.
59 & 60 Vict. c. 47.	The Land Law (Ireland) Act, 1896.	In section twenty-nine subsection three. In section forty-three subsections one to five, save as regards agreements for purchase made before the passing of this Act.
62 & 63 Vict. c. 18.	The Congested Districts Board (Ireland) Act, 1899.	Section three, save as regards agreements for purchase made before the passing of this Act.
1 Edw. 7. c. 3.	The Purchase of Land (Ireland) Act, 1901.	In section one subsections two and three.

CHAPTER 38.

An Act to make provision for the Defence of Poor Prisoners. [14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Provision of legal aid.

1.—(1) Where it appears, having regard to the nature of the defence set up by any poor prisoner, as disclosed in the evidence given or statement made by him before the committing justices, that it is desirable, in the interests of justice, that he should have legal aid in the preparation and conduct of his defence and that his means are insufficient to enable him to obtain such aid—

(*a*) the committing justices, upon the committal of the prisoner for trial; or

(*b*) the judge of a court of assize or chairman of a court of quarter sessions, at any time after reading the depositions,

may certify that the prisoner ought to have such legal aid, and thereupon the prisoner shall be entitled to have solicitor and counsel assigned to him, subject to the provisions of this Act.

(2) The expenses of the defence, including the cost of a copy of the depositions, the fees of solicitor and counsel, and the expenses of any witnesses shall be allowed and paid in the same manner as the expenses of a prosecution in cases of indictment for felony, subject, nevertheless, to any rules under this Act and to any regulations as to rates or scales of payment which may be made by one of His Majesty's Principal Secretaries of State.

Rules.

2. Rules for carrying this Act into effect may be made in the same manner and subject to the same conditions as Rules under the Prosecution of Offences Act, 1879.

Definitions.

3. In this Act—

"Prisoner" includes a person committed for trial on bail.

"Committing justices" includes a magistrate of the police courts of the metropolis and a stipendiary magistrate.

"Chairman" includes recorder or deputy recorder or deputy chairman.

Extent.

4. This Act shall not extend to Scotland or Ireland.

Short title.

5. This Act may be cited as the Poor Prisoners' Defence Act, 1903, and shall come into operation on the first day of January one thousand nine hundred and four.

CHAPTER 39. Repealed by [illegible]

An Act to amend the Law relating to the Housing of the Working Classes. [14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

General Amendments of Law.

Maximum term for repayment of loans. 53 & 54 Vict. c. 70.

1.—(1) The maximum period which may be sanctioned as the period for which money may be borrowed, by a local authority, for the purposes of the Housing of the Working Classes Act, 1890 (in

this Act referred to as "the principal Act") or any Acts amending it, shall be eighty years, and as respects money so borrowed, eighty years shall be substituted for sixty years in section two hundred and thirty-four of the Public Health Act, 1875.

38 & 39 Vict. c. 55.

(2) Money borrowed under the principal Act or any Acts (including this Act) amending it (in this Act collectively referred to as the Housing Acts) shall not be reckoned as part of the debt of the local authority, for the purposes of the limitation on borrowing under subsections two and three of section two hundred and thirty-four of the Public Health Act, 1875.

Transfer of powers and duties of Home Office to Local Government Board.

2.—(1) His Majesty may by Order in Council assign to the Local Government Board any powers and duties of the Secretary of State under the Housing Acts or under any scheme made in pursuance of those Acts, and the powers of the Secretary of State under any local Act, so far as they relate to the housing of the working classes, and any such powers and duties so assigned shall become powers and duties of the Local Government Board.

52 & 53 Vict. c. 30.

(2) Section eleven of the Board of Agriculture Act, 1889, shall apply with respect to the powers and duties transferred under this section as it applies with respect to the powers and duties transferred under that Act, with the substitution of the Local Government Board for the Board of Agriculture and of the date of the transfer under this section for the date of the establishment of the Board of Agriculture.

Re-housing obligations when land is taken under statutory powers.

3. Where, under the powers given after the date of the passing of the Act by any local Act or Provisional Order or Order having the effect of an Act, any land is acquired, whether compulsorily or by agreement, by any authority, company or person, or where after the date of the passing of this Act any land is so acquired compulsorily under any general Act (other than the Housing Acts), the provisions set out in the Schedule to this Act shall apply with respect to the provision of dwelling accommodation for persons of the working class.

Amendments as to Schemes.

Provisions on failure of local authority to make a scheme.

4.—(1) If, on the report made to the confirming authority on an inquiry directed by them under section ten of the principal Act, that authority are satisfied that a scheme ought to have been made for the improvement of the area to which the inquiry relates or of some part thereof, they may, if they think fit, order the local authority to make such a scheme, either under Part I. of the principal Act or, if the confirming authority so direct, under Part II. of that Act, and to do all things necessary under the Housing Acts for carrying into execution the scheme so made, and the local authority shall accordingly make a scheme or direct a scheme to be prepared as if they had passed the resolution required under section four or section thirty-nine of the principal Act, as the case may be, and do all things necessary under the Housing Acts for carrying the scheme into effect.

Any such order of the confirming authority may be enforced by mandamus.

(2) Any twelve or more ratepayers of the district shall have the like appeal, under section sixteen of the principal Act, as is given to the twelve or more ratepayers who have made the complaint to the medical officer of health mentioned in that section.

Amendment of procedure for confirming improvement scheme.

5.—(1) Section seven of the principal Act shall have effect as if the words "in the month of September or October or November" were omitted from paragraph (*a*), and as if the words "during the thirty days next following the date of the last publication of the advertisement" were substituted for the words "during the month next following the month in which such advertisement is published" in paragraph (*b*).

(2) The order of a confirming authority under subsection four of section eight of the principal Act shall, notwithstanding anything in that section, take effect without confirmation by Parliament—

(*a*) if land is not proposed to be taken compulsorily; or

(*b*) if, although land is proposed to be taken compulsorily, the confirming authority, before making the order, are satisfied that notice of the draft order has been served as required as respects a Provisional Order by subsection five of the said section eight, and also that the draft order has been published in the London Gazette, and that a petition against the draft order has not been presented to the confirming authority by any owner of land proposed to be taken compulsorily within two months after the date of the publication and the service of notice, or, having been so presented, has been withdrawn.

(3) For the purposes of the principal Act, the making of an order by a confirming authority, which takes effect under this section without confirmation by Parliament, shall have the same effect as the confirmation of the order by Act of Parliament, and any reference to a Provisional Order, made under section eight of the principal Act, shall include a reference to an order which so takes effect without confirmation by Parliament.

Power to modify schemes in certain cases.

6.—(1) If an order under subsection four of section eight or under section thirty-nine of the principal Act, which, if no petition were presented, would take effect without confirmation by Parliament, is petitioned against, the confirming authority or the Local Government Board, as the case may be, may, if they think fit, on the application of the local authority, make any modifications in the scheme to which the order relates, for the purpose of meeting the objections of the petitioner, and withdraw the order sanctioning the original scheme, substituting for it an order sanctioning the modified scheme.

(2) The same procedure shall be followed as to the publication and giving notices, and the same provisions shall apply as to the presentation of petitions and the effect of the order, in the case of the order sanctioning the modified scheme, as in the case of the order sanctioning the original scheme, but no petition shall be received or have any effect except one which was presented against the original order, or one which is concerned solely with the modifications made in the scheme as sanctioned by the new order.

Amendments as to scheme of reconstruction.

7. Where a scheme for reconstruction under Part II. of the principal Act is made, neighbouring lands may be included in the area comprised in the scheme, if the local authority under whose direction the scheme is made are of opinion that that inclusion is necessary for making their scheme efficient, but the provision of subsection two of section forty-one, as to the exclusion of any additional allowance in respect of compulsory purchase, shall not apply in the case of any land so included.

Amendments as to Closing Orders, Demolition, &c.

Amendment of procedure for closing orders.

8.—(1) If in the opinion of the local authority any dwelling-house is not reasonably capable of being made fit for human habitation, or is in such a state that the occupation thereof should be immediately discontinued, it shall not be necessary for them, before obtaining a closing order, to serve a notice on the owner or occupier of the premises to abate the nuisance, and a justice may issue a summons for a closing order and a closing order may be granted, although such a notice has not been served.

(2) The Local Government Board may by order prescribe forms in substitution for those in the Fourth Schedule to the principal Act, and section thirty-two of the principal Act shall have effect as if the forms so prescribed were referred to therein in lieu of the forms in that Schedule.

Power to recover cost of demolition.

9. Where the amount realised by the sale of materials under section thirty-four of the principal Act is not sufficient to cover the expenses incident to the taking down and removal of a building, the local authority may recover the deficiency from the owner of the building as a civil debt in manner provided by the Summary Jurisdiction Acts, or under the provisions of the Public Health Acts relating to private improvement expenses.

Recovery of possession from occupying tenants in pursuance of closing orders.

10. Where default is made as respects any dwelling-house in obeying a closing order in the manner provided by subsection three of section thirty-two of the principal Act, possession of the house may be obtained (without prejudice to the enforcement of any penalty under that provision), whatever may be the value or rent of the house, by or on behalf of the owner or local authority, either under sections one hundred and thirty-eight to one hundred and forty-five of the County Courts Act, 1888, or under the Small Tenements Recovery Act, 1838, as in the cases therein provided for, and in either case may be obtained as if the owner or local authority were the landlord.

51 & 52 Vict. c. 43.
1 & 2 Vict. c. 74.

Any expenses incurred by a local authority under this section may be recovered from the owner of the dwelling-house as a civil debt in manner provided by the Summary Jurisdiction Acts.

Miscellaneous.

Powers in connection with provision of dwelling accommodation or lodging-houses.

11.—(1) Any power of the local authority under the Housing Acts, or under any scheme made in pursuance of any of those Acts, to provide dwelling accommodation or lodging-houses, shall include a power to provide and maintain, with the consent of the Local Government Board, and, if desired, jointly with any other

person, in connection with any such dwelling accommodation or lodging-houses, any building adapted for use as a shop, any recreation grounds or other buildings or land which, in the opinion of the Local Government Board, will serve a beneficial purpose in connection with the requirements of the persons for whom the dwelling accommodation or lodging-houses are provided, and to raise money for the purpose, if necessary, by borrowing.

(2) The Local Government Board may, in giving their consent to the provision of any land or building under this section, by order apply, with any necessary modifications, to such land or building any statutory provisions which would have been applicable thereto if the land or building had been provided under any enactment giving any local authority powers for the purpose.

Condition in contracts for letting houses for the working classes.

12. Section seventy-five of the principal Act (which relates to the condition to be implied on letting houses for the working classes) shall, as respects any contract made after the passing of this Act, take effect notwithstanding any agreement to the contrary, and any such agreement made after the passing of this Act shall be void.

Service of notices.

13.—(1) Any notice required to be served under Part II of the principal Act upon an owner shall, notwithstanding anything in section forty-nine of that Act, be deemed to be sufficiently served if it is sent by post in a registered letter addressed to the owner or his agent at his usual or last known residence or place of business.

(2) Any document referred to in section eighty-seven of the principal Act shall be deemed to be sufficiently served upon the local authority if addressed to that authority or their clerk at the office of that authority and sent by post in a registered letter.

Special Provisions as to London.

Agreements between London County Council and metropolitan borough councils.

14. The council of a metropolitan borough may, if they think fit, pay or contribute towards the payment of any expenses of the London County Council, under subsection five of section forty-six of the principal Act, in connection with a scheme of reconstruction, and borrow any money required by them for the purpose under subsection two of the said section; but an order under subsection six shall not be necessary, except in cases of disagreement between the county council and the council of the borough.

Provisions consequential on extension of period for repayment of loans, 32 & 33 Vict. c. 102.

15. For the purpose of carrying into effect the provisions of this Act as to the maximum period for which money may be borrowed, eighty years shall be substituted for sixty years in section twenty seven of the Metropolitan Board of Works (Loans) Act, 1869, and such sum as will be sufficient, with compound interest, to repay the money borrowed within such period, not exceeding eighty years, as may be sanctioned by the London County Council, shall be substituted for two pounds per cent. in section one hundred and ninety of the Metropolis Management Act, 1855. 18 & 19 Vict. c. 120.

Substitution Secretary of State for Local Government Board.

16. The Secretary of State shall be substituted for the Local Government Board, in the application to the administrative county of London of the provisions of the Schedule to this Act, and of the provisions of this Act which require the consent of the Local Government Board to the exercise of additional powers, given to a local authority by this Act, in connection with the provision of dwelling accommodation or lodging-houses, until the powers and duties of the Secretary of State under those provisions are transferred to the Local Government Board in pursuance of this Act.

Supplemental.

Short title and extent.

17.—(1) This Act may be cited as the Housing of the Working Classes Act, 1903; and the Housing of the Working Classes Acts, 1890 to 1900, and this Act may be cited together as the Housing of the Working Classes Acts, 1890 to 1903.

(2) This Act shall not extend to Scotland or Ireland.

SCHEDULE.

Sections 3, 16.

(1) If, in the administrative county of London or in any borough or urban district or in any parish not within a borough or urban district, the undertakers have power to take under the enabling Act working-men's dwellings occupied by thirty or more persons belonging to the working class, the undertakers shall not enter on any such dwellings in that county, borough, urban district or parish, until the Local Government Board have either approved of a housing scheme under this schedule or have decided that such a scheme is not necessary.

For the purposes of this schedule a house shall be considered a working-man's dwelling if wholly or partially occupied by a person belonging to the working classes; and for the purpose of determining whether a house is a working-man's dwelling or not, and also for determining the number of persons belonging to the working classes by whom any dwelling-houses are occupied, any occupation on or after the fifteenth day of December next before the passing of the enabling Act, or, in the case of land acquired compulsorily under a general Act without the authority of an order, next before the date of the application to the Local Government Board under this schedule, for their approval of or decision with respect to a housing scheme, shall be taken into consideration.

(2) The housing scheme shall make provision for the accommodation of such number of persons of the working class as is, in the opinion of the Local Government Board, taking into account all the circumstances, required, but that number shall not exceed the aggregate number of persons of the working class displaced; and in calculating that number the Local Government Board shall take into consideration not only the persons of the working class who are occupying the working-men's dwellings which the undertakers have power to take, but also any persons of the working class who, in the opinion of the Local Government Board, have been displaced within the previous five years in view of the acquisition of land by the undertakers.

(3) Provision may be made by the housing scheme for giving undertakers, who are a local authority or who have not sufficient powers for

the purpose, power for the purpose of the scheme to appropriate land or to acquire land, either by agreement or compulsorily under the authority of a Provisional Order, and for giving any local authority power to erect dwellings on land so appropriated or acquired by them, and to sell or dispose of any such dwellings, and to raise money for the purpose of the scheme as for the purposes of Part III. of the principal Act, and for regulating the application of any money arising from the sale or disposal of the dwellings ; and any provisions so made shall have effect as if they had been enacted in an Act of Parliament.

(4) The housing scheme shall provide that any lands acquired under that scheme shall, for a period of twenty-five years from the date of the scheme, be appropriated for the purpose of dwellings for persons of the working class, except so far as the Local Government Board dispense with that appropriation ; and every conveyance, demise or lease of any such land shall be endorsed with notice of this provision, and the Local Government Board may require the insertion in the scheme of any provisions requiring a certain standard of dwelling-house to be erected under the scheme, or any conditions to be complied with as to the mode in which the dwelling-houses are to be erected.

(5) If the Local Government Board do not hold a local inquiry with reference to a housing scheme, they shall, before approving the scheme, send a copy of the draft scheme to every local authority, and shall consider any representation made within the time fixed by the Board by any such authority.

(6) The Local Government Board may, as a condition of their approval of a housing scheme, require that the new dwellings under the scheme, or some part of them, shall be completed and fit for occupation before possession is taken of any working-men's dwellings under the enabling Act.

(7) Before approving any scheme the Local Government Board may, if they think fit, require the undertakers to give such security as the Board consider proper for carrying the scheme into effect.

(8) The Local Government Board may hold such inquiries as they think fit for the purpose of their duties under this schedule, and subsections one and five of section eighty-seven of the Local Government Act, 1888 (which relate to local inquiries), shall apply for the purpose and, where the undertakers are not a local authority, shall be applicable as if they were such an authority.

(9) If the undertakers enter on any working-men's dwelling in contravention of the provisions of this schedule, or of any conditions of approval of the housing scheme made by the Local Government Board, they shall be liable to a penalty not exceeding five hundred pounds in respect of every such dwelling :

Any such penalty shall be recoverable by the Local Government Board, by action in the High Court, and shall be carried to and form part of the Consolidated Fund.

(10) If the undertakers fail to carry out any provision of the housing scheme, the Local Government Board may make such order as they think necessary or proper for the purpose of compelling them to carry out that provision, and any such order may be enforced by mandamus.

(11) The Local Government Board may, on the application of the undertakers, modify any housing scheme which has been approved by them under this Schedule, and any modifications so made shall take effect as part of the scheme.

(12) For the purposes of this schedule—

(*a*) The expression "undertakers" means any authority, company or person who are acquiring land compulsorily or by agreement under any local Act or Provisional Order or order having the effect of an Act, or are acquiring land compulsorily under any general Act :

(*b*) The expression "enabling Act" means any Act of Parliament or Order under which the land is acquired:

(*c*) The expression "local authority" means the council of any administrative county and the district council of any county district, or, in London, the council of any metropolitan borough, in which in any case any houses in respect of which the re-housing scheme is made are situated, or, in the case of the city, the common council:

(*d*) The expression "dwelling" or "house" means any house or part of a house occupied as a separate dwelling:

(*e*) The expression "working class" includes mechanics, artisans, labourers and others working for wages; hawkers, costermongers, persons not working for wages, but working at some trade or handicraft without employing others, except members of their own family, and persons other than domestic servants whose income in any case does not exceed an average of thirty shillings a week, and the families of any of such persons who may be residing with them.

CHAPTER 40.

An Act to continue various Expiring Laws.

[14th August 1903.]

WHEREAS the Acts mentioned in the Schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire on the thirty-first day of December nineteen hundred and three:

And whereas it is expedient to provide for the continuance, as in this Act mentioned, of those Acts and of the enactments amending or affecting the same:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Continuance of Acts in Schedule.

1.—(1) The Acts mentioned in the Schedule to this Act shall, to the extent specified in column three of that Schedule, be continued, until the thirty-first day of December nineteen hundred and four, and shall then expire, unless further continued.

(2) Any unrepealed enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner, whether they are mentioned in the Schedule to this Act or not.

Short title.

2. This Act may be cited as the Expiring Laws Continuance Act, 1903.

SCHEDULE.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(1.) 5 & 6 Will. 4. c. 27.	The Linen Manufactures (Ireland) Act, 1835.	The whole Act -	3 & 4 Vict. c. 91. 5 & 6 Vict. c. 68. 7 & 8 Vict. c. 47. 30 & 31 Vict. c. 60.
(2.) 3 & 4 Vict. c. 89.	The Poor Rate Exemption Act, 1840.	The whole Act.	——
(3.) 4 & 5 Vict. c. 30.	The Ordnance Survey Act, 1841.	The whole Act -	33 Vict. c. 13. 47 & 48 Vict. c. 43. 52 & 53 Vict. c. 30.
(4.) 10 & 11 Vict. c. 98.	The Ecclesiastical Jurisdiction Act, 1847.	As to the provisions continued by 21 & 22 Vict. c. 50.	——
(5.) 14 & 15 Vict. c. 104.	The Episcopal and Capitular Estates Act, 1851.	The whole Act -	17 & 18 Vict. c. 116. 21 & 22 Vict. c. 94. 22 & 23 Vict. c. 46. 23 & 24 Vict. c. 124. 31 & 32 Vict. c. 114. s. 10.
(6.) 17 & 18 Vict. c. 102.	The Corrupt Practices Prevention Act, 1854.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	26 & 27 Vict. c. 29. s. 6. 31 & 32 Vict. c. 125. 46 & 47 Vict. c. 51.
(7.) 23 & 24 Vict. c. 19.	The Labourers (Ireland) Act, 1860.	The whole Act.	——
(8.) 24 & 25 Vict. c. 109.	The Salmon Fishery Act, 1861.	As to the appointment of inspectors, s. 31.	49 & 50 Vict. c. 39. s. 3. 55 & 56 Vict. c. 50.
(9.) 26 & 27 Vict. c. 105.	The Promissory Notes Act, 1863.	The whole Act -	45 & 46 Vict. c. 61.
(10.) 27 & 28 Vict. c. 20.	The Promissory Notes (Ireland) Act, 1864.	The whole Act.	——
(11.) 28 & 29 Vict. c. 46.	The Militia (Ballot Suspension) Act, 1865.	The whole Act -	45 & 46 Vict. c. 49.
(12.) 28 & 29 Vict. c. 83.	The Locomotives Act, 1865.	The whole Act -	41 & 42 Vict. c. 58. 41 & 42 Vict. c. 77. (Part II.) 59 & 60 Vict. c. 36. 61 & 62 Vict. c. 29.
(13.) 29 & 30 Vict. c. 52.	The Prosecutions Expenses Act, 1866.	The whole Act.	——

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(14.) 31 & 32 Vict. c. 125.	The Parliamentary Elections Act, 1868.	So much as is continued by the Corrupt and Illegal Practices Prevention Act, 1883.	42 & 43 Vict. c. 75. 46 & 47 Vict. c. 51.
(15.) 32 & 33 Vict. c. 21.	The Corrupt Practices Commission Expenses Act, 1869.	The whole Act -	34 & 35 Vict. c. 61.
(16.) 32 & 33 Vict. c. 56.	The Endowed Schools Act, 1869.	As to the powers of making schemes.	36 & 37 Vict. c. 87. 37 & 38 Vict. c. 87. 52 & 53 Vict. c. 40.
(17.) 33 & 34 Vict. c. 112.	The Glebe Loan (Ireland) Act, 1870.	The whole Act -	34 & 35 Vict. c. 100. 49 Vict. c. 6.
(18.) 34 & 35 Vict. c. 87.	The Sunday Observation Prosecution Act, 1871.	The whole Act.	——
(19.) 35 & 36 Vict. c. 33.	The Ballot Act, 1872 -	The whole Act -	45 & 46 Vict. c. 50. (Municipal Elections).
(20.) 38 & 39 Vict. c. 84.	The Parliamentary Elections (Returning Officers) Act, 1875.	The whole Act -	46 & 47 Vict. c. 51. s. 32. 48 & 49 Vict. c. 62. 49 & 50 Vict. c. 57.
(21.) 39 & 40 Vict. c. 21.	The Jurors Qualification (Ireland) Act, 1876.	The whole Act -	57 & 58 Vict. c. 49. 61 & 62 Vict. c. 37. s. 69.
(22.) 41 & 42 Vict. c. 41.	The Parliamentary Elections Returning Officers Expenses (Scotland) Act, 1878.	The whole Act -	48 & 49 Vict. c. 62. 49 & 50 Vict. c. 58. 54 & 55 Vict. c. 49.
(23.) 41 & 42 Vict. c. 72.	The Sale of Liquors on Sunday (Ireland) Act, 1878.	The whole Act.	——
(24.) 43 Vict. c. 18.	The Parliamentary Elections and Corrupt Practices Act, 1880.	The whole Act -	46 & 47 Vict. c. 51.
(25.) 43 & 44 Vict. c. 42.	The Employers' Liability Act, 1880.	The whole Act.	——
(26.) 44 & 45 Vict. c. 5.	The Peace Preservation (Ireland) Act, 1881.	The whole Act -	49 & 50 Vict. c. 24. 50 & 51 Vict. c. 20.
(27.) 46 & 47 Vict. c. 51.	The Corrupt and Illegal Practices Prevention Act, 1883.	The whole Act -	58 & 59 Vict. c. 40.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(28.) 46 & 47 Vict. c. 60.	The Labourers (Ireland) Act, 1883.	The whole Act -	48 & 49 Vict. c. 77. 49 & 50 Vict. c. 59. 54 & 55 Vict. c. 48. 54 & 55 Vict. c. 71. 55 & 56 Vict. c. 7. 59 & 60 Vict. c. 53. 61 & 62 Vict. c. 37.
(29.) 47 & 48 Vict. c. 70.	The Municipal Elections (Corrupt and Illegal Practices) Act, 1884.	The whole Act -	56 & 57 Vict. c. 73.
(30.) 49 & 50 Vict. c. 29.	The Crofters Holdings (Scotland) Act, 1886.	As to the powers of the Commissioners for the enlargement of holdings, s. 22.	50 & 51 Vict. c. 24. 51 & 52 Vict. c. 63. 54 & 55 Vict. c. 41.
(31.) 51 & 52 Vict. c. 55.	The Sand Grouse Protection Act, 1888.	The whole Act.	—
(32.) 52 & 53 Vict. c. 40.	The Welsh Intermediate Education Act, 1889.	As to the powers of the joint education committee and the suspension of the powers of the Charity Commissioners.	53 & 54 Vict. c. 60.
(33.) 58 & 59 Vict. c. 21.	The Seal Fisheries (North Pacific) Act, 1895.	The whole Act.	—
(34.) 59 Vict. c. 1.	The Local Government (Elections) Act, 1896.	The whole Act.	—
(35.) 59 & 60 Vict. c. 48.	The Light Railways Act, 1896.	As to the powers of the Light Railway Commissioners.	—
(36.) 61 & 62 Vict. c. 49.	The Vaccination Act, 1898.	The whole Act.	—

CHAPTER 41.

An Act to make further provision for defraying the expenses of the purchase of Land and Buildings and the construction of Buildings and Works in connexion with certain Public Departments.

[14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Issue of money for works mentioned in schedule.

1.—(1) The Treasury shall issue out of the Consolidated Fund or the growing produce thereof such sums, not exceeding in the whole one million seven hundred and ninety thousand pounds, as may be required by the Commissioners of Works for defraying the costs of the purchases, buildings and works specified in the Schedule to this Act, whether incurred before or after the passing of this Act.

(2) The Treasury may, if they think fit, at any time, for the purpose of providing for the issue of sums out of the Consolidated Fund under this Act or the repayment to that Fund of all or any part of the sums so issued, borrow money by means of terminable annuities for such period not exceeding thirty years from the dates of borrowing as the Treasury may fix, and all sums so borrowed shall be paid into the Exchequer.

(3) The said annuities shall be paid out of moneys provided by Parliament for the service of the Commissioners of Works and, if those moneys are insufficient, shall be charged on and paid out of the Consolidated Fund or the growing produce thereof.

61 & 62 Vict. c. 5.

(4) Section two of the Public Buildings Expenses Act, 1898, shall be construed as if it was herein re-enacted and in terms made applicable to this Act.

Short title.

2. This Act may be cited as the Public Buildings Expenses Act, 1903.

SCHEDULE.

	Provision made in the Public Buildings Expenses Act, 1898.	Revised Estimate.	Additional Sum required.
1. Offices and buildings included in Schedule to Public Buildings Expenses Act, 1898 - -	£ 2,550,000	£ 3,050,000	£ 500,000
Difference between the sum granted under the Act of 1898 and the sum estimated to be available, due to depreciation in securities in which the money granted has been invested - - - -	80,000	—	80,000
	2,470,000	3,050,000	580,000
2. Public offices (Westminster site extension), cost of acquiring additional properties and of rehousing in certain cases, and contingencies, including the purchase of No. 5, Old Palace Yard - - - - - -			850,000
3. Patent Office Extension, cost of site and buildings - -			110,000
4. British Museum extension* - - - - -			150,000
5. Admiralty, additional accommodation - - - -			100,000
Total - - - - - -			£1,790,000

* Exclusive of a sum of about 50,000*l.* available from bequests.

CHAPTER 42.

An Act to extend the Jurisdiction of the County Courts.

[14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the County Courts Act, 1903.

Commencement of Act.

2. This Act shall come into operation on the first day of January one thousand nine hundred and five.

Extension of jurisdiction of court.

3. The portions of the fifty-sixth, fifty-seventh, fifty-eighth, fifty-ninth, sixtieth, eighty-first, ninety-sixth, one hundred and sixteenth, one hundred and thirty-eighth and one hundred and thirty-ninth sections of the County Courts Act, 1888, containing the words "fifty pounds" are hereby repealed, and in lieu thereof there shall be substituted the words "one hundred pounds."

51 & 52 Vict. c. 43.

Juries.

4. Section one hundred and two of the County Courts Act, 1888, shall be read as if the word "eight" were substituted for the word "five."

Transference of actions in which the plaintiff claims more than fifty pounds by virtue of this Act.

5. It shall be lawful for His Majesty by Order in Council to provide that the actions in which the plaintiff claims a sum exceeding fifty pounds by virtue of this Act shall be tried in any court, where His Majesty is satisfied that due provision has been made for carrying on the business of the court without interference with the ordinary jurisdiction of the court, and of which the judge of the court in which such actions may be commenced is the judge, and that the court to which such actions may be transferred for trial shall have the same jurisdiction in such actions as it would have had in case they had been commenced therein, and that the judgment of the court in which such actions are tried shall have the same effect as if the judgment therein had been the judgment of the court in which they were commenced.

Registrars.

6.—(1) Where two or more districts are consolidated, notwithstanding anything in section forty-five of the County Courts Act, 1888, contained, the Lord Chancellor, with the consent of the Treasury, may make such provision for the duties of the registrar and otherwise as he may think fit.

(2) Where an order has been made as to a registrar under section forty-five of the County Courts Act, 1888, he shall account for and pay over to the Exchequer all fees whatsoever received by him after the date of such order, in such manner as the Lord Chancellor, with the concurrence of the Treasury, may direct.

Rules.

7. The power to make rules of court in accordance with the one hundred and sixty-fourth section of the County Courts Act, 1888, shall extend to making rules for carrying this Act into effect.

Construction.

8. This Act and the County Courts Act, 1888, shall be construed as one Act.

CHAPTER 43.

An Act to amend the Diseases of Animals Act, 1894, in relation to Sheep Scab. [14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Compulsory adoption of remedies for sheep scab, &c. 57 & 58 Vict. c. 57.

1. Section twenty-two of the Diseases of Animals Act, 1894 (which empowers the Board of Agriculture to make orders for the better prevention of disease among animals and to authorise local authorities to make regulations for the like purpose), shall be construed and have effect as if the following paragraph were inserted therein, namely:—

"(xiiia.) For prescribing, regulating and securing the periodical treatment of all sheep by effective dipping, or by the use of some other remedy for sheep scab."

Power of examination of sheep.

2.—(1) An inspector of the Board of Agriculture and, if so authorised by order of the Board, an inspector of the local authority, may, subject to the direction of the authority appointing the inspector and for the purposes of any order or regulation under this Act, enter any premises and examine any sheep thereon.

(2) The owner and the person in charge of any sheep shall comply with all reasonable requirements of the inspector as to the collection and penning of the sheep, and afford all other reasonable facilities for the examination of the sheep by the inspector.

Power for local authority to provide facilities for sheep-dipping.

3. The local authority may provide, fit up and maintain portable dipping tanks or, with the sanction of the Board of Agriculture dipping places and afford the use thereof and of all necessary appliances and materials in connection therewith to the public, upon such terms and conditions as the local authority may think fit, and any sums received by a local authority for such use shall be applied by them towards the discharge of their expenses under the Diseases of Animals Act, 1894:

Provided that no dipping place shall be used for the purposes of this section if such use would injuriously affect the water in any stream, reservoir, aqueduct, well, pond or place constructed or used for the supply of water for drinking or other domestic purposes.

Application of Act to Ireland.

4. In the application of this Act to Ireland, "the Department of Agriculture and Technical Instruction for Ireland" shall be substituted for "the Board of Agriculture."

Short title.

5. This Act may be cited as the Diseases of Animals Act, 1903, and shall be construed as one with the Diseases of Animals Acts, 1894 and 1896, and may be cited with those Acts as the Diseases of Animals Acts, 1894 to 1903.

CHAPTER 44.

An Act for regulating the business of Marine Store Dealers and Dealers in Second-hand Goods in Ireland.

[14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

General dealers to be licensed.

1.—(1) No person shall carry on the business of a general dealer without having in force a licence under this Act.

(2) An application for a licence under this Act or a renewal thereof shall be made, in the prescribed manner and at the prescribed time, to the licensing authority and may be granted or refused at the discretion of that authority.

(3) A licence under this Act may be revoked or suspended by a court of summary jurisdiction, on conviction before such court of any violation of the terms of the licence or of any provision of this Act.

(4) Every person applying for a licence under this Act or a renewal thereof shall pay to the clerk to the licensing authority a sum not exceeding two shillings and sixpence as the expense attending such application and of recording the prescribed particulars relating thereto.

(5) A licence under this Act shall be in the prescribed form, shall be dated on the day on which it is issued and shall determine on the first day of January unless sooner revoked or suspended.

(6) If a person acts as a general dealer, without having in force a licence under this Act, or contravenes the terms of his licence, he shall be liable on summary conviction to a fine not exceeding five pounds.

General dealers to furnish a description of their premises and keep books.

2.—(1) Every person applying for a licence under this Act or a renewal thereof shall, at the time of his application, furnish to the clerk to the licensing authority a description in writing of his premises, including all cellars, closets and other places proposed to be used by him in the course of his business.

(2) Every general dealer shall enter in a book, to be kept by him on his premises, the particulars of each transaction in his business, including—

(*a*) a proper and distinctive description of each article purchased or received by him;

(*b*) the name and place of abode of the person from whom he purchased or received the article;

(*c*) the date and hour of the day of each transaction; and

(*d*) the price paid or agreed to be paid for the article:

Provided that, where articles of the same kind, value and description are on any particular occasion bought or sold in a lot or parcel, it shall be sufficient to describe such lot or parcel without describing each of the several articles comprising same.

(3) If any general dealer fails to comply with any requirement of this section, he shall for each offence be liable on summary conviction to a fine not exceeding five pounds.

General dealers to retain articles for seven days after having received them.

3.—(1) Every article purchased or received by a general dealer shall be kept by him in his shop, or other place where his ordinary business is carried on, for seven days from the date on which it was so purchased or received, unless in the meantime he shall, on giving twenty-fours hours previous notice to the licensing authority, have received from that authority permission to dispose of such article.

(2) Every general dealer shall attach to each article a ticket or label with the date of purchase or receipt written thereon.

(3) Every general dealer shall, when required so to do by a police constable, produce to him any such article before the expiration of the said period of seven days.

(4) If any general dealer fails to comply with any requirement of this section he shall be liable for each offence on summary conviction to a fine not exceeding five pounds.

General dealers to enter names of purchasers, &c.

4.—(1) Every general dealer shall enter in his book the name and address of the person to whom any article, lot or parcel is sold or delivered by him and also the date of the sale.

(2) If any general dealer fails to comply with the requirement of this section he shall be liable for each offence on summary conviction to a fine not exceeding twenty shillings.

General dealers to produce articles and books on demand.

5.—(1) Every general dealer shall at all reasonable times produce on demand to any police constable, having the general or special authority of a justice of the peace to make the demand, all articles in his possession and also the book in which the description of any article is or ought to have been entered.

(2) Any police constable obtaining the production of any such book shall on each occasion subscribe his name immediately after the last entry therein.

(3) Whenever any articles which have been stolen, embezzled or fraudulently obtained are found in the possession of any general dealer, he shall, on being informed by a police constable, authorised as aforesaid, that such articles were stolen, embezzled or fraudulently obtained, deposit the same with the constable.

(4) If any general dealer fails to comply with any requirement of this section, he shall be liable for each offence, on summary conviction, to a fine not exceeding five pounds, without prejudice to his being also proceeded against according to law as a receiver of stolen goods.

General dealers to report stolen goods.

6.—(1) If any articles, with respect to which information in writing is given by any police constable to a general dealer that they have been stolen, embezzled or fraudulently obtained, are then in, or subsequently come into, the possession of the dealer, he shall as soon as may be give information to a police constable that articles answering to the description of the said articles are in his possession, and shall also state the name and address given by the person from whom the articles were received.

(2) If any general dealer contravenes the provisions of this section he shall be liable for each offence on summary conviction to a fine not exceeding five pounds: Provided that, in the case of articles which it may be difficult to trace out and identify, no fine shall be imposed under this section, unless it appears to the court that the articles were knowingly concealed by the dealer.

General dealers not to alter or deface articles without permission.

7. If any general dealer, after receiving information of the theft, embezzlement or fraudulent obtaining of any metals or other articles, melts, alters, defaces or puts away any metals or articles answering to the description of the aforesaid metals or articles, or causes the same to be melted, altered, defaced or put away, without having been authorised in writing by a justice of the peace so to do, and if it is found that the said metals or articles were stolen, embezzled or fraudulently obtained by the person from whom the general dealer received the same or by any other person, then in such case it shall be held that the general dealer knew that the said metals or articles were stolen, embezzled or fraudulently obtained, and he shall be proceeded against, according to law, as a receiver of stolen goods, and no evidence of his guilt shall be necessary other than the evidence of such melting, altering, defacing or putting away, after receiving such information as aforesaid.

Business not to be transacted with persons under fourteen years of age.

8.—(1) A general dealer shall not sell to or purchase from any person apparently under the age of fourteen years, whether such person is acting on his own behalf or on behalf of any other person.

(2) If any general dealer contravenes the provisions of this section, either by himself or any agent or servant, he shall be liable for each offence on summary conviction to a fine not exceeding five pounds.

General dealers not to transact business between certain hours.

9.—(1) A general dealer shall not sell to or purchase from or have any business transactions whatsoever with any person between ten o'clock on Saturday night and nine o'clock in the morning of the following Monday, or between ten o'clock on any other night and eight o'clock on the following morning: Provided that it shall be permissible to make delivery within the said hours of goods previously sold.

(2) If any general dealer contravenes the provisions of this section, either by himself or any agent or servant, he shall be liable for each offence on summary conviction to a fine not exceeding five pounds.

General dealers to have their names painted over shop doors.

10.—(1) Every person licensed as a general dealer under this Act shall have his name, with the words "licensed general dealer," painted over the door or principal entrance of his premises in large characters, either black upon a white ground or white upon a black ground, and shall replace the same if removed, obliterated or defaced.

(2) If any person fails to comply with the requirements of this section he shall be liable for each offence on summary conviction to a fine not exceeding twenty shillings.

Rules.

11. The Lord Chancellor may make rules for prescribing anything which may under this Act be prescribed, and all rules so made shall be laid so soon as may be before both Houses of Parliament.

Definitions.

12. In this Act, unless the context otherwise requires,—

The expression "general dealer" means any person buying, otherwise than at a public auction held by a licensed auctioneer, or selling old metal, scrap metal, broken metal or partly manufactured metal goods in quantities, at each particular purchase or sale, of less, in the case of iron, than ten hundredweight, or, in the case of copper, of less than fifty-six pounds weight, or, in the cases of lead, zinc, spelter, machinery or tools, respectively, of less than one hundred and twelve pounds weight, or buying or selling in any quantities bottles, syphons, tools, bags, sacks, packing cases, boxes, articles of pottery or glass, whether such person deals in those articles only or together with second-hand goods or marine stores, but the said expression does not include a pawnbroker or a licensed dealer in plate; and

The expression "licensing authority" means, in the police district of Dublin Metropolis, any divisional justice of that district, and in any other place two or more justices of the peace sitting in petty sessions.

Short title.

13. This Act may be cited as the General Dealers (Ireland) Act, 1903.

Commencement of Act.

14. This Act shall come into operation on the first day of January one thousand nine hundred and four.

CHAPTER 45.

An Act to make better provision for regulating the Employment of Children. [14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled and by the authority of the same, as follows:

Power to make byelaws for regulating the employment of children.

1. Any local authority may make byelaws—

(i) prescribing for all children, or for boys and girls separately, and with respect to all occupations or to any specified occupation,—

(*a*) the age below which employment is illegal; and

(*b*) the hours between which employment is illegal; and

(*c*) the number of daily and weekly hours beyond which employment is illegal:

(ii) prohibiting absolutely or permitting, subject to conditions, the employment of children in any specified occupation.

Power to make byelaws for the regulation of street trading by persons under sixteen.

2. Any local authority may make byelaws with respect to street trading by persons under the age of sixteen and may by such byelaws—

(*a*) prohibit such street trading, except subject to such conditions as to age, sex, or otherwise, as may be specified in the byelaw, or subject to the holding of a licence to trade to be granted by the local authority;

(*b*) regulate the conditions on which such licences may be granted, suspended and revoked;

(*c*) determine the days and hours during which, and the places at which, such street trading may be carried on;

(*d*) require such street traders to wear badges;

(*e*) regulate generally the conduct of such street traders:

Provided as follows:—

(1) The grant of a licence or the right to trade shall not be made subject to any conditions having reference to the poverty or general bad character of the person applying for a licence or claiming to trade;

(2) The local authority, in making byelaws under this section, shall have special regard to the desirability of preventing the employment of girls under sixteen in streets or public places.

General restrictions on employment of children.

3.—(1) A child shall not be employed between the hours of nine in the evening and six in the morning: Provided that any local authority may, by byelaw, vary these hours either generally or for any specified occupation.

(2) A child under the age of eleven years shall not be employed in street trading.

(3) No child who is employed half-time under the Factory and Workshop Act, 1901, shall be employed in any other occupation.

(4) A child shall not be employed to lift, carry or move anything so heavy as to be likely to cause injury to the child.

(5) A child shall not be employed in any occupation likely to be injurious to his life, limb, health or education, regard being had to his physical condition.

(6) If the local authority send to the employer of any child a certificate, signed by a registered medical practitioner, that the lifting, carrying or moving of any specified weight is likely to cause injury to the child, or that any specified occupation is likely to be injurious to the life, limb, health or education of the child, the certificate shall be admissible as evidence in any subsequent proceedings against the employer in respect of the employment of the child.

General provisions as to byelaws.

4.—(1) A byelaw made under this Act shall not have any effect until confirmed by the Secretary of State, and shall not be so confirmed until at least thirty days after the local authority have published it in such manner as the Secretary of State may by general or special order direct.

(2) The Secretary of State shall, before confirming any byelaw, consider any objections to it which may be addressed to him by persons affected or likely to be affected thereby.

(3) The Secretary of State may, before confirming any byelaw, order that a local inquiry be held with respect to the byelaw or with respect to any objections thereto. The person holding any such inquiry shall receive such remuneration as the Secretary of State may determine, and that remuneration and the expenses of the local inquiry shall be paid by the local authority making the byelaw.

(4) Byelaws made under this Act may apply either to the whole of the area of the local authority or to any specified part thereof.

(5) Byelaws made by a county council shall not be of any force or effect within any borough or urban district the council of which is constituted a local authority under this Act.

57 & 58 Vict. c. 41.

(6) Byelaws under the Prevention of Cruelty to Children Act, 1894, shall be made by the same authority and confirmed in the same way as byelaws under this Act.

Offences and penalties.

5.—(1) If any person employs a child or other person under the age of sixteen in contravention of this Act or of any byelaw under this Act, he shall be liable on summary conviction to a fine not exceeding forty shillings or, in case of a second or subsequent offence, not exceeding five pounds.

(2) If any parent or guardian of a child or other person under the age of sixteen has conduced to the commission of the alleged offence by wilful default, or by habitually neglecting to exercise due care, he shall be liable on summary conviction to the like fine.

(3) If any person under the age of sixteen contravenes the provisions of any byelaw as to street trading made under this Act, he shall be liable on summary conviction to a fine not exceeding twenty shillings and, in case of a second or subsequent offence, if a child, to be sent to an industrial school and, if not a child, to a fine not exceeding five pounds.

(4) In lieu of ordering a child to be sent under this section to an industrial school, a court of summary jurisdiction may order the child to be taken out of the charge or control of the person who actually has the charge or control of the child, and to be committed to the charge and control of some fit person who is willing to undertake the same, until such child reaches the age of sixteen years: And the provisions of sections seven and eight of the Prevention of Cruelty to Children Act, 1894, shall, with the necessary modifications, apply to any order for the disposal of a child made under this sub-section.

Offences by agents or workmen and by parents.

6.—(1) Where the offence of taking a child into employment in contravention of this Act is in fact committed by an agent or workman of the employer, such agent or workman shall be liable to a penalty as if he were the employer.

(2) Where a child is taken into employment in contravention of this Act on the production, by or with the privity of the parent, of a false or forged certificate, or on the false representation of his parent that the child is of an age at which such employment is not in contravention of this Act, that parent shall be liable to a penalty not exceeding forty shillings.

(3) Where an employer is charged with any offence under this Act, he shall be entitled, upon information duly laid by him, to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge, and if, after the commission of the offence has been proved, the court is satisfied that the employer had used due diligence to comply with the provisions of the Act, and that the other person had committed the offence in question without the employer's knowledge, consent or connivance, the other person shall be summarily convicted of the offence, and the employer shall be exempt from any fine.

(4) When it is made to appear to the satisfaction of an inspector or other officer charged with the enforcement of this Act, at the time of discovering the offence, that the employer had used all due diligence to enforce compliance with this Act, and also by what person the offence had been committed, and also that it had been committed without the knowledge, consent or connivance of the employer and in contravention of his order, then the inspector or officer shall proceed against the person whom he believes to be the actual offender in the first instance, without first proceeding against the employer.

Limitation of time.

7. With respect to summary proceedings for offences and fines under this Act and any byelaws made thereunder, the information shall be laid within three months after the commission of the offence.

Power of officer of local authority to enter place of employment.

8. If it appear to any justice of the peace, on the complaint of an officer of the local authority acting under this Act, that there is reasonable cause to believe that a child is employed in contravention of this Act in any place, whether a building or not, such justice may by order under his hand empower an officer of the local authority to enter such place at any reasonable time, within forty-eight hours from the date of the order, and examine such place and any person therein touching the employment of any child therein.

Any person refusing admission to an officer authorised by an order under this section, or obstructing him in the discharge of his duty, shall for each offence be liable on summary conviction to a penalty not exceeding twenty pounds.

Employment in factories. 1 Edw. 7. c. 22. 35 & 36 Vict. c. 77. 50 & 51 Vict. c. 58.

9. Byelaws made under this Act shall not apply to any child above twelve employed in pursuance of the Factory and Workshop Act, 1901, or the Metalliferous Mines Regulation Act, 1872, or the Coal Mines Regulation Act, 1887, so far as regards that employment; and, in the application of section three to children employed under those Acts, the inspectors appointed under those Acts shall be substituted for the local authority in respect of such employment.

Saving for industrial and other schools.

10. Nothing in this Act or in any byelaw made thereunder shall apply to the exercise of manual labour by any child under order of detention in a certified industrial or reformatory school, or by any child while receiving instruction in manual labour in any school.

Incorporation and amendment of s. 3 of 57 & 58 Vict. c. 41.

11. Section three of the Prevention of Cruelty to Children Act, 1894 (which regulates the employment of children in public entertainments), shall have effect as if re-enacted in this Act: Provided as follows:—

(1) A licence under that section shall not be granted to any child under the age of ten years; and

(2) Any inspector or other officer charged with the execution of this Act shall have and may exercise all the powers of an inspector of factories and workshops under that section, and that section shall apply accordingly.

Expenses of Act in England and Wales.

12. Any expenses incurred by a local authority in England and Wales in carrying into effect the provisions of this Act or any byelaw made thereunder shall be defrayed, in the case of a county, out of the county fund and, in the case of a borough, out of the borough fund or borough rate and, in the case of any other urban district, out of any rate or fund applicable for defraying expenses incurred in the execution of the Public Health Acts: Provided that a county council shall not raise any sum on account of their expenses under this Act within any borough or urban district the council of which is a local authority under this Act.

Definitions.

13. In this Act—

The expression "child" means a person under the age of fourteen years:

The expression "guardian," used in reference to a child, includes any person who is liable to maintain or has the actual custody of the child:

The expressions "employ" and "employment," used in reference to a child, include employment in any labour exercised by way of trade or for the purposes of gain, whether the gain be to the child or to any other person:

The expression "local authority" means, in the case of the City of London, the mayor, aldermen and commons of that city in common council assembled, in the case of a municipal borough with a population, according to the census of nineteen hundred and one, of over ten thousand, the borough council, and in the case of any other urban district with a population, according to the census of nineteen hundred and one, of over twenty thousand, the district council, and elsewhere the county council:

The expression "street trading" includes the hawking of newspapers, matches, flowers and other articles, playing, singing or performing for profit, shoe-blacking and any other like occupation carried on in streets or public places.

Application to Scotland.

14. In the application of this Act to Scotland—

(1) The Secretary for Scotland shall be substituted for the Secretary of State:

(2) "The sheriff or sheriff-substitute" shall be substituted for "a court of summary jurisdiction":

(3) Any fine or penalty under this Act shall be recoverable by imprisonment in terms of the Summary Jurisdiction Acts:

(4) The expression "local authority," in sections one and three of this Act, shall mean the school board; and in section two of this Act shall mean, in the case of a royal, parliamentary or police burgh having, within its boundary for police purposes, according to the census of nineteen hundred and one, a population of or exceeding seven thousand, and in the case of the burgh of Coatbridge, the town council, and elsewhere the county council, and for the purposes of section two every burgh, other than those herein-before specified, shall be held to form part of the county within which it is situated: Provided that in section eight of the Local Government (Scotland) Act, 1889, the expression "purposes herein-after mentioned" shall be deemed to include the purposes of this Act:

(5) Nothing in this Act shall affect the power of the school board to grant exemptions in certain employments, as provided by sub-section three of section seven of the Education (Scotland) Act, 1878, and the expression "this Act" in the said section shall be deemed to include the Employment of Children Act, 1903: 41 & 42 Vict. c. 78.

(6) A byelaw shall not be made by a council under this Act until the expiry of a period of one month after such byelaw, as proposed to be made, has been communicated to the clerk to each school board of a parish, burgh or district comprised or partly comprised within the area of such council for the purposes of this Act, and such council shall give due consideration to any observations received from any such school board within such period; and

(7) Nothing in this Act shall make it lawful for any child to be employed in contravention of section six of the Education (Scotland) Act, 1878, or section two of the Education (Scotland) Act, 1901: 1 Edw. 7. c. 9.

(8) Section two hundred and seventy-six of the Burgh Police (Scotland) Act, 1892, is hereby repealed. 55 & 56 Vict. c. 55.

15. Any expenses incurred by a local authority in Scotland in carrying into effect the provisions of this Act or any byelaws made thereunder shall be paid, where the local authority is a county council, out of the public health general assessment leviable within the county or a district of the county, provided that in any royal, parliamentary or police burgh having, according to the census of nineteen hundred and one, a population of less than seven thousand, a proportion of such expenses, corresponding to the valuation of such burgh, shall be paid to the county council out of the public health general assessment leviable in such burgh, in compliance with a requisition to that effect to be sent to the town council of such burgh annually not later than the month of October in each year, and, where the local authority is a town council, out of the public health general assessment, and shall be paid, where the local authority is a school board, out of the school rate. Expenses of Act in Scotland.

Application to Ireland.

16. In the application of this Act to Ireland—

(1) The Lord Lieutenant shall be substituted for the Secretary of State:

(2) The expression "local authority" means, in the case of an urban district with a population, according to the census of nineteen hundred and one, of over five thousand, the district council and elsewhere the county council:

(3) Proceedings under this Act may be brought by or in the name of any officer of the local authority or by an officer of a school attendance committee or by a constable:

(4) All expenses and costs to be incurred by a local authority in the execution of this Act shall be defrayed, in the case of the council of a county borough or of a district council, out of any rate or fund applicable to the purposes of the Public Health (Ireland) Act, 1878, and, in the case of a county council, out of the county fund, and in such case the amount required therefor may be raised by means of the poor rate equally over so much of the county as does not comprise any urban district the council whereof is constituted a local authority under this Act.

41 & 42 Vict. c. 52.

Commencement of Act.

17. This Act shall come into operation on the first day of January one thousand nine hundred and four.

Short title.

18. This Act may be cited as the Employment of Children Act, 1903.

CHAPTER 46.

An Act to make certain amendments of the Law relating to Customs and Inland Revenue, and of the Law relating to the powers and duties of the National Debt Commissioners. [14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

CUSTOMS AND EXCISE.

Molasses used for food for stock.
1 Edw. 7. c. 7.

1.—(1) Molasses imported into Great Britain or Ireland shall not be liable to duty under section two of the Finance Act, 1901, if it is to be used solely for the purpose of food for stock and such conditions are complied with in respect thereof, as to proof, security and otherwise, as may be imposed by the Commissioners of Customs for the purpose of protecting the revenue.

(2) An allowance at the rate of one shilling per hundredweight shall be made to a refiner on molasses produced in Great Britain

or Ireland from sugar on which duty has been paid on importation, if the molasses is to be used solely for the purpose of food for stock and such conditions are complied with in respect thereof, as to proof, security and otherwise, as may be imposed by the Commissioners of Customs or Commissioners of Inland Revenue, as the case requires, for the purpose of protecting the revenue.

(3) If any person acts in contravention of any condition imposed by the Commissioners of Customs or Commissioners of Inland Revenue under this section, that person shall in respect of each offence be liable to a penalty not exceeding fifty pounds.

Extension of 1 Edw. 7. c. 7. as to manufacture of saccharin.

2. Section nine of the Finance Act, 1901 (which relates to regulations as to excise duty on glucose, &c.), shall (so far as it does not already so apply) apply to saccharin, including substances of a like nature or use, as it applies to glucose, and the Commissioners of Inland Revenue may make regulations under that section as to the manufacture, storage and warehousing without payment of duty of saccharin, and for requiring that the premises in which saccharin is manufactured, warehoused or stored are approved by them and properly secured.

Charge of duty on actual quantity of sugar, &c. cleared from warehouse. 39 & 40 Vict. c. 36.

3. The provisions of section ninety-eight of the Customs Consolidation Act, 1876, which relate to the charging of duty upon the quantity of goods ascertained by weight, measure or strength at the time of actual delivery thereof, shall apply to sugar and molasses when cleared from the warehouse for home use, as they apply to the specially excepted goods mentioned in that section.

Provisions as to warehouses. 43 & 44 Vict. c. 24.

4.—(1) A distiller's warehouse may be provided by the distiller under section forty-nine of the Spirits Act, 1880, either within or without the premises upon which the spirits are distilled, but, if the warehouse is not within those premises, the Commissioners may attach to their approval of the warehouse such conditions as they think fit and, if those conditions are not for the time being observed, the warehouse shall be deemed to be a warehouse not approved by the Commissioners.

(2) Goods may be warehoused, under section eighteen of the Customs and Inland Revenue Act, 1881, in an Excise warehouse if the warehouse is approved by the Commissioners of Inland Revenue, and, if an Excise warehouse is so approved, the approval of the Treasury shall not be required.

44 & 45 Vict. c. 12.

PART II.

STAMPS.

Payment of duty on the capital of companies. 54 & 55 Vict. c. 39.

5. The statement of the amount of any increase of registered capital of any company registered under the Companies Acts, 1862 to 1900, which is required by section one hundred and twelve of the Stamp Act, 1891, to be delivered to the Registrar of Joint Stock Companies, shall be delivered duly stamped with the duty charged thereon within fifteen days after the passing of the resolution by which the registered capital is increased, and, in default of that delivery, the duty, with interest thereon at the rate

of five per cent. per annum from the passing of the resolution, shall be a debt to His Majesty recoverable from the company.

Exemption from stamp duty of security on export of coal. 39 & 40 Vict. c. 36. 1 Edw. 7. c. 7.

6. Any bond or notice given with reference to the exportation of coal or the carriage of coal coastwise, for the purpose of the security required under section one hundred and four of the Customs Consolidation Act, 1876, or under the Fourth Schedule to the Finance Act, 1901, shall be exempt from stamp duty and may be received and acted upon, although not stamped.

Reduction of stamp duty in the case of substituted securities. 54 & 55 Vict. c. 39.

7. The whole amount of duty payable under or by reference to paragraph (2) of the heading "Mortgage Bond, Debenture, Covenant and Warrant of Attorney" in the First Schedule to the Stamp Act, 1891, on any instrument being a collateral or auxiliary or additional or substituted security or by way of further assurance, shall not exceed ten shillings.

This is an interpretation. Duffield v. C. of R. 1908. 1 KB 865.

Stamping of policies of insurance on ships under construction, &c.

8. A policy of insurance made or purporting to be made upon or to cover any ship or vessel, or the machinery or fittings belonging to the ship or vessel, whilst under construction or repair or on trial, shall be sufficiently stamped for the purposes of the Stamp Act, 1891, and the Acts amending that Act, if stamped as a policy of sea insurance made for a voyage and though made for a time exceeding twelve months, shall not be deemed to be a policy of sea insurance made for time.

Repeal of stamp duty on commissions in army and navy.

9. Stamp duty shall cease to be chargeable on commissions to officers in the army, royal marines or navy.

PART III.

TAXES.

Income tax allowance on friendly societies insurance premiums. 18 & 19 Vict. c. 35.

10.—(1) The proviso to section one of the Income Tax (Insurance) Act, 1855 (which limits the income tax allowances for premiums in respect of insurances with friendly societies), shall cease to have effect, but, where the premiums payable in respect of any insurance to which that section extends are made for shorter periods than three months, the production of a certificate signed by an officer of the society to the surveyor of taxes for the district, specifying the correct amount of premiums paid during the year, shall be a condition of obtaining relief under that section.

(2) If any person wilfully gives or produces a false certificate under this section he shall forfeit the sum of fifty pounds, and that sum may be recovered as a penalty under section twenty-one of the Taxes Management Act, 1880.

43 & 44 Vict. c. 19.

Inhabited house duty on houses let in tenements or flats.

11.—(1) Where a house, so far as it is used as a dwelling-house, is used for the sole purpose of providing separate dwellings,—

(*a*) The value of any dwelling in the house which is of an annual value below twenty pounds shall be excluded from the annual value of the house for the purposes of inhabited house duty; and

"Cubitt" not. L.C.C. v. Cook. 1906. 1 KB. 278

(*b*) The rate of inhabited house duty, in respect of any dwelling in the house of an annual value of twenty pounds but not exceeding forty pounds, shall be reduced to threepence; and

(*c*) The rate of inhabited house duty, in respect of any dwelling in the house of an annual value exceeding forty pounds but not exceeding sixty pounds, shall be reduced to sixpence.

(2) The provisions of this section, as respects dwellings of an annual value not exceeding forty pounds, shall not take effect with regard to any such dwelling, unless such a certificate as to accommodation and sanitary condition is produced to the General Commissioners as defined by section five of the Taxes Management Act, 1880, as is mentioned in subsection (2) of section twenty-six of the Customs and Inland Revenue Act, 1890, and the provisions of that subsection as to the certificate shall apply for the purpose. 53 & 54 Vict. c. 8.

Provision as to property in Scotland on the boundary of general tax Commissioners' areas.

12. Where any lands and heritages in Scotland are partly in the jurisdiction of one body of general Commissioners and partly in the jurisdiction of another, or where it is desirable for the convenience of assessment to transfer any lands and heritages from the jurisdiction of one body of general Commissioners to the jurisdiction of another such body, the Commissioners of Inland Revenue, at the request of the general Commissioners concerned, shall, by order in writing, determine which body of general Commissioners shall have the jurisdiction, and the whole lands and heritages aforesaid shall be within such jurisdiction accordingly.

Professional representation on income tax appeals.

13. If upon any appeal under the Income Tax Acts, the Commissioners for the general purposes of the said Acts refuse to permit a barrister or solicitor to plead before them or to hear any accountant, the appellant may, in lieu of proceeding with the appeal before them, appeal to the Commissioners for the special purposes of the said Acts, and the last-mentioned Commissioners are hereby required to hear the barrister, solicitor or accountant.

The term "accountant" in this section means a person who has been admitted as a member of an incorporated society of accountants.

PART IV.

MISCELLANEOUS.

Provision as to fixed duty on small estates. 57 & 58 Vict. c. 30.

14. Where, in the case of a person dying after the commencement of this Act, the fixed duty of thirty shillings or fifty shillings has been deposited or paid under section sixteen of the Finance Act, 1894 (which relates to the estate duty on small estates), and it is afterwards found that the gross value of the property on which estate duty is payable exceeds three hundred or five hundred pounds, as the case may be, the Commissioners of Inland Revenue, if they are satisfied that there were reasonable grounds for the original estimate of the value of the property, may (notwithstanding anything in section thirty-five of the Customs and Inland Revenue Act, 1881) allow an amount, equal to the fixed duty deposited or paid, to be deducted from the estate duty payable in respect of the property. 44 & 45 Vict. c. 12.

Basis for calculation of Government annuities. 51 & 52 Vict. c. 15. s. 1.

15. In section one of the National Debt (Supplemental) Act, 1888 (which relates to the basis for the calculation of the price of Government annuities), two and a half per cent. Consolidated stock within the meaning of the National Debt (Conversion) Act, 1888, shall, as from the first day of September nineteen hundred and three, be substituted for Bank annuities bearing interest at the rate of two and a half per cent. per annum.

Regulations as to payments made by and discharges given to National Debt Commissioners.

16.—(1) The National Debt Commissioners, with the concurrence of the Treasury, may make regulations as to the mode in which any sum payable by those Commissioners in respect of any life or other terminable annuity, or the commutation of a pension, or the draft of trustees of a savings bank or of a friendly society, or of an advance from the Local Loans Fund, may be paid, and the manner in which a valid discharge is to be given to those Commissioners for any such payment and for crediting instead of paying the interest due in respect of any sums so paid; and payments made and discharges given in accordance with those regulations shall be valid, notwithstanding anything in any other Act.

(2) Section twenty-six of the Trustee Savings Bank Act, 1863, so far as it relates to the signature and attestation of any draft or order for a sum exceeding five thousand pounds, shall cease to have effect.

Repeal, commencement and short title.

17.—(1) The enactments specified in the Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

(2) This Act shall come into operation on the first day of September nineteen hundred and three and may be cited as the Revenue Act, 1903.

SCHEDULE.

Section 17.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
18 & 19 Vict. c. 35.	The Income Tax (Insurance) Act, 1855.	Section one, from "Provided that" to the end of the section.
26 & 27 Vict. c. 87.	The Trustee Savings Bank Act, 1863.	Section twenty-six, from the beginning of the section to "Provided also that," inclusive.
39 & 40 Vict. c. 35.	The Customs Tariff Act, 1876.	The last paragraph but two of the Schedule, commencing with the words "Upon the importation into Great Britain and Ireland" and ending with the words "importation into the United Kingdom."

Section and Chapter.	Short Title.	Extent of Repeal.
53 & 54 Vict. c. 8.	The Customs and Inland Revenue Act, 1890.	Subsection two of section twenty-six, except so far as applied for the purposes of this Act.
54 & 55 Vict. c. 25.	The Customs and Inland Revenue Act, 1891.	Section four.
54 & 55 Vict. c. 39.	The Stamp Act, 1891	In the First Schedule the words— "COMMISSION: £ s. d. (1) To any officer in the army or in the corps of Royal Marines - 1 10 0 (2) To any officer in the navy - - - 0 5 0 *Exemption.* Commission to any officer of militia, yeomanry or volunteers."

CHAPTER 47.

An Act to amend the Military Lands Acts, 1892 to 1900, with respect to the acquisition of Land for Military Purposes. [14th August 1903.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Power of councils to hire land for military purposes.

1.—(1) The council of a county or borough may, at the request of one or more volunteer corps, by agreement hire land on behalf of the volunteer corps for military purposes, for a period not less than twenty-one years, and may contribute towards the expenses incurred by another council in purchasing or hiring land for those purposes, and the expenses of so hiring or contributing may be defrayed in the same manner as expenses of purchasing, and the payment of those expenses, so far as they are in the nature of capital expenses, shall accordingly be a purpose for which the council may borrow.

(2) Land hired under this section, on behalf of one or more volunteer corps, may be leased to the volunteer corps in like manner as land held by the council of a county or borough under subsection three of section one of the Military Lands Act, 1892, and section one of the Military Lands Act, 1900, shall apply accordingly.

55 & 56 Vict. c. 43. 63 & 64 Vict. c. 56.

(3) Sections ten and eleven of the Military Lands Act, 1892, shall apply to leases of land to councils, hiring land under this section, as they apply to leases of land to a Secretary of State or a volunteer corps.

Short title and construction.

2. This Act may be cited as the Military Lands Act, 1903, and shall be construed as one with the Military Lands Acts, 1892 to 1900, and those Acts and this Act may be cited as the Military Lands Acts, 1892 to 1903.

TABLE II.

A

TABLE

OF

The TITLES of the LOCAL and PRIVATE ACTS (including the PUBLIC ACTS of a Local Character) passed during the Session 3 EDWARD 7.—A.D. 1903.

LOCAL ACTS.

The Titles to which the Letter **P.** *is prefixed are Public Acts of a Local Character.*

ROYAL ASSENT, 30th June 1903.

i. AN Act for enabling the Western Trust Limited to re-arrange its capital and to provide for the extinction of its B shares and for issuing ordinary shares in lieu thereof and for altering the memorandum and articles of association of the Company and for other purposes. (*Western Trust Limited.*)

ii. An Act to make further provision with respect to the Servants' Pension Fund of the Great Western Railway Company and for other purposes. (*Great Western Railway (Pension Fund).*)

iii. An Act to amalgamate the Guinness Trust (Dublin) Fund with the Dublin Improvement (Bull Alley area) Scheme to vest the property of the Guinness (Dublin) trustees in the trustees of the said scheme to change the name of such last-mentioned trustees to confer further powers on them and for other purposes. (*Iveagh Trust.*)

iv. An Act for enabling the Queensland Investment and Land Mortgage Company Limited to pay off capital paid in advance of calls and for other purposes. (*Queensland Investment and Land Mortgage Company's.*)

v. An Act to amend the Great Northern and City Railway Act 1902 and to authorise the Great Northern and City Railway Company to raise additional capital for the purposes of their undertaking. (*Great Northern and City Railway.*)

vi. An Act to authorise the Maidstone Gas Company to convert their existing capital to raise additional capital and for other purposes. (*Maidstone Gas.*)

vii. An Act to authorise agreements between the councils of the Metropolitan boroughs of Stoke Newington Hackney and Islington with respect to the supply of electricity in bulk and to confer powers upon the Stoke Newington Borough Council with respect to the purchase of lands and for other purposes. (*Stoke Newington Borough Council.*)

viii. An Act to extend the powers of the North Middlesex Gas Company. (*North Middlesex Gas.*)

ix. An Act to confer further powers on the Plymouth and Stonehouse Gas Light and Coke Company and for other purposes. (*Plymouth and Stonehouse Gas.*)

x. An Act to confer further powers upon the Faversham Gas Company and for other purposes. (*Faversham Gas.*)

xi. An Act to provide for an increase and re-arrangement of the share capital of North's Navigation Collieries (1889) Limited and for other purposes. (*North's Navigation Collieries* (1889) *Limited.*)

xii. An Act for enlarging the powers of investment of the Life Association of Scotland and for other purposes. (*Life Association of Scotland.*)

xiii. An Act to effect a combination of the undertakings of the Pelican Life Insurance Company and the British Empire Mutual Life Assurance Company and for other purposes. (*Pelican and British Empire Life Office.*)

xiv. An Act to extend the objects and powers of the Lima Railways Company Limited and for other purposes. (*Lima Railways Company Limited.*)

xv. An Act to authorise the Exeter Railway Company to acquire additional lands to revive and further extend the time for the completion of their authorised railways to raise additional capital and for other purposes. (*Exeter Railway.*)

xvi. An Act to abolish the rate now leviable for certain church purposes in the parish of All Saints Poplar in the county of London and to make other provisions for securing the stipend of the rector of All Saints Poplar and for other purposes. (*All Saints Poplar Rate Abolition.*)

xvii. An Act to enlarge the powers of the London Hydraulic Power Company as to the raising of capital the supply of water and the acquisition of a new site for their pumping station at Westminster and for other purposes. (*London Hydraulic Power Company's.*)

xviii. An Act to authorise the Sutton District Water Company to construct additional waterworks acquire lands and raise further moneys and for other purposes. (*Sutton District Waterworks.*)

xix. An Act for continuing the Bridgwater Gas Light Company for regulating and increasing the capital of the Company and for other purposes. (*Bridgwater Gas.*)

xx. An Act for incorporating and conferring powers upon the East Ardsley Gas Company and for other purposes. (*East Ardsley Gas.*)

xxi. An Act for incorporating and conferring powers on the Burgess Hill and St. John's Common Gas Company and for other purposes. (*Burgess Hill and St. John's Common Gas.*)

xxii. An Act to authorise the Scarborough Gas Company to raise additional capital and for other purposes. (*Scarborough Gas.*)

xxiii. An Act to confer further powers on the Sittingbourne District Gas Company. (*Sittingbourne District Gas.*)

xxiv. An Act to regulate the capital of the South Wales Mineral Railway Company and for other purposes. (*South Wales Mineral Railway.*)

xxv. An Act to confer further powers upon the Cleveland and Durham County Electric Power Company and for other purposes. (*Cleveland and Durham County Electric Power.*)

xxvi. An Act for further extending the powers of the India Rubber Gutta Percha and Telegraph Works Company Limited. (*India Rubber Gutta Percha and Telegraph Works Company (Limited).*)

xxvii. An Act to amend the Acts relating to the Milford Docks Company and for other purposes. (*Milford Docks.*)

xxviii. An Act for incorporating and conferring powers on the Market Drayton Gas Company. (*Market Drayton Gas.*)

xxix. An Act for incorporating and conferring powers on the Wellington (Salop) Gas Company and for other purposes. (*Wellington (Salop) Gas.*)

xxx. An Act for reviving and extending the period limited by the Knott End Railway Act 1898 for the compulsory purchase of lands and for extending the period limited by that Act for the construction of the railway by that Act authorised and for other purposes. (*Knott End Railway (Extension of Time).*)

xxxi. An Act for conferring further powers upon the Winchester Water and Gas Company and for other purposes. (*Winchester Water and Gas.*)

xxxii. An Act to confer additional powers upon the Midland Railway Company and upon the Norfolk and Suffolk Joint Railways Committee and upon the Midland and Great Northern Railways Joint Committee for the construction of works and the acquisition of lands and for other purposes. (*Midland Railway.*)

xxxiii. An Act for conferring further powers upon the Company of Proprietors of the Staffordshire and Worcestershire Canal Navigation and for other purposes. (*Staffordshire and Worcestershire Canal.*)

xxxiv. An Act to authorise the Harrow and Stanmore Gas Company to acquire lands to construct gasworks to raise additional capital and for other purposes. (*Harrow and Stanmore Gas.*)

xxxv. An Act to revive and extend the powers for the purchase of land and the time limited for the completion of the railway authorised by the Wirral Railway Act 1898 to extend the time for disposing of and otherwise dealing with certain surplus lands of the Wirral Railway Company to increase the capital of that Company and for other purposes. (*Wirral Railway.*)

xxxvi. An Act to empower the Urban District Council of Rickmansworth to purchase the undertaking of the Rickmansworth Gas Company and to supply gas and for other purposes. (*Rickmansworth Gas.*)

xxxvii. An Act to authorise the transfer of the Knaresborough Waterworks to the Corporation of Harrogate and to enable them to supply water in Knaresborough and adjoining places. (*Harrogate Water.*)

xxxviii. An Act for conferring further powers on the Gorleston and Southtown Gas Company. (*Gorleston and Southtown Gas.*)

xxxix. An Act to confer further powers on the Belfast City and District Water Commissioners. (*Belfast Water.*)

xl. An Act to provide for the transfer of the undertaking of the Sheepshed Gas and Coke Company Limited to the Sheepshed Urban District Council and to confer further powers on the said Council with respect to the supply of gas and for other purposes. (*Sheepshed Urban District Council Gas.*)

xli. An Act to enable the Gas Light and Coke Company to raise additional moneys and to purchase take and hold lands and for altering the standard price of gas and redeeming capital and for other purposes. (*Gas Light and Coke Company's.*)

xlii. An Act to make provision for the testing of gas supplied by the Commercial Gas Company and for other purposes. (*Commercial Gas.*)

xliii. An Act for conferring further powers on the Great Eastern Railway Company and for other purposes. (*Great Eastern Railway*)

P. xliv. An Act to confirm a Provisional Order under the Land Drainage Act 1861 relating to lands in the parishes of Aslackby and Dowsby in the county of Lincoln. (*Land Drainage Provisional Order Confirmation.*)

P. xlv. An Act to confirm a Provisional Order made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Mitchelstown in the county of Cork. (*Electric Lighting Order Confirmation* (*No.* 1).)

P. xlvi. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Brixham Brumby and Frodingham Dawlish Horbury Hucknall-under-Huthwaite Newton-in-Makerfield Orrell Scunthorpe Sidmouth and Yeovil. (*Electric Lighting Orders Confirmation* (*No.* 2).)

P. xlvii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Auckland (Rural) Carisbrooke and Northwood Drayton in Hales Illogan Ingleton Port Dinorwic Sevenoaks South Shields (Rural) Stafford (Rural) and Wilmslow. (*Electric Lighting Orders Confirmation* (*No.* 3).)

P. xlviii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 the Electric Lighting (Scotland) Act 1890 and the Electric Lighting (Scotland) Act 1902 relating to Borrowstounness Cambuslang Irvine Kilmalcolm and Kirkintilloch. (*Electric Lighting Orders Confirmation* (*No.* 4).)

P. xlix. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Bexley (Extension) Bridgwater and District Bromley (Rural) Hendon (Amendment) Huddersfield (Extension) Leatherhead and District (Extension) Prestwich (Amendment) Stroud and Whitchurch and Pangbourne. (*Electric Lighting Orders Confirmation* (*No.* 6).)

P. l. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Lanarkshire and Ayrshire Railway. (*Lanarkshire and Ayrshire Railway Order Confirmation.*)

P. li. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Dundee Royal Lunatic Asylum. (*Dundee Royal Lunatic Asylum Order Confirmation.*)

P. lii. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the urban districts of Bray and Dungarvan and the counties of Dublin Waterford and Wicklow. (*Local Government Board (Ireland) Provisional Orders Confirmation* (*No.* 1).)

P. liii. An Act to confirm a Provisional Order of the Local Government Board for Ireland relating to the county of Waterford. (*Local Government Board (Ireland) Provisional Order Confirmation* (*No.* 2).)

P. liv. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to Belfast (Rural) Ennistymon (Rural) and Londonderry and the Rathdrum and Wicklow Joint Burial Board District. (*Local Government Board* (*Ireland*) *Provisional Orders Confirmation* (*No.* 4).)

P. lv. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the urban district of Athy and the rural district of Naas (No. 1). (*Local Government Board (Ireland) Provisional Orders Confirmation* (*No.* 6).)

P. lvi. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the urban districts of Armagh Clonakilty Fermoy Kinsale Lurgan Macroom Midleton Portadown Queenstown Skibbereen and Youghal the counties of Armagh and Cork and the Kildare Drainage District. (*Local Government Board* (*Ireland*) *Provisional Orders Confirmation* (*No.* 8).)

P. lvii. An Act to confirm a Provisional Order of the Local Government Board relating to Bolton. (*Local Government Board's Provisional Order Confirmation (Housing of Working Classes).*)

P. lviii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Aberavon Darlington Hexham Reading Stafford and Wallasey. (*Local Government Board's Provisional Orders Confirmation* (*No.* 1).)

P. lix. An Act to confirm certain Provisional Orders of the Local Government Board relating to Barnes Burton upon Trent Castle Ward (Rural) Matlock Bath and Scarthin Nick Newton Abbot Penrith Stroud Worthing and Yardley (Rural). (*Local Government Board's Provisional Orders Confirmation* (*No.* 2).)

P. lx. An Act to confirm certain Provisional Orders of the Local Government Board relating to the counties of Oxford and Worcester. (*Local Government Board's Provisional Orders Confirmation* (*No.* 3).)

P. lxi. An Act to confirm certain Provisional Orders of the Local Government Board relating to Camborne Heston and Isleworth Mountain Ash New Windsor Southport Stratford-upon-Avon Tunbridge Wells and Whitley and Monkseaton. (*Local Government Board's Provisional Orders Confirmation* (*No.* 4).)

P. lxii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Coventry Rawmarsh Shipley and Tynemouth. (*Local Government Board's Provisional Orders Confirmation* (*No.* 6).)

P. lxiii. An Act to confirm certain Provisional Orders of the Local Government Board relating to the counties of East Sussex and Leicester. (*Local Government Board's Provisional Orders Confirmation* (*No.* 7).)

P. lxiv. An Act to confirm certain Provisional Orders of the Local Government Board relating to the Ashbourne the Guildford Godalming and Woking and the South Shields (Rural) and Southwick-on-Wear Joint Hospital Districts. (*Local Government Board's Provisional Orders Confirmation* (*No.* 11).)

P. lxv. An Act to confirm certain Provisional Orders of the Local Government Board relating to Cudworth Hucknall-under-Huthwaite and Meltham. (*Local Government Board's Provisional Orders Confirmation* (*Gas*).)

P. lxvi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to St. Luke's Church and Parish *Quoad Sacra* Edinburgh. (*St. Luke's Church and Parish* Quoad Sacra *Edinburgh Order Confirmation.*)

P. lxvii. An Act to confirm a Provisional Order of the Admiralty under the Naval Works Act 1895. (*Naval Works Provisional Order Confirmation.*)

P. lxviii. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Llandudno Galway and Scrabster. (*Pier and Harbour Orders Confirmation* (*No.* 1).)

P. lxix. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Grangemouth water. (*Grangemouth Water Order Confirmation.*)

P. lxx. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Lanarkshire electricity and refuse destruction. (*Lanarkshire Electricity and Refuse Destruction Order Confirmation.*)

P. lxxi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Forth Navigation. (*Forth Navigation Order Confirmation.*)

P. lxxii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Caledonian Railway. (*Caledonian Railway Order Confirmation.*)

P. lxxiii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Edinburgh Corporation (Markets Slaughter-houses &c.) (*Edinburgh Corporation (Markets Slaughter-houses &c.) Order Confirmation.*)

P. lxxiv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the North British Railway. (*North British Railway (General Powers) Order Confirmation.*)

ROYAL ASSENT, 21st July 1903.

P. lxxv. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Urban Districts of Athlone and Kingstown (two). (*Local Government Board (Ireland) Provisional Orders Confirmation (Housing of Working Classes).*)

P. lxxvi. An Act to confirm certain Provisional Orders of the Local Government Board relating to the City of Oxford. (*Local Government Board's Provisional Orders Confirmation (Poor Law).*)

P. lxxvii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Barry Fenton Leeds and Tonbridge and the Ports of Hartlepool and Manchester. (*Local Government Board's Provisional Orders Confirmation (No. 9).*)

P. lxxviii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Ashton-under-Lyne Darwen Newton-in-Makerfield Prestwich and Vaynor and Penderyn. (*Local Government Board's Provisional Orders Confirmation (No. 10).*)

P. lxxix. An Act to confirm certain Provisional Orders of the Local Government Board relating to Blackpool Conway and Spalding and the Darenth Valley Main Sewerage District. (*Local Government Board's Provisional Orders Confirmation (No. 12).*)

P. lxxx. An Act to confirm certain Provisional Orders of the Local Government Board relating to Colne and Swansea and the South Staffordshire Joint Small-Pox Hospital District. (*Local Government Board's Provisional Orders Confirmation (No. 14).*)

P. lxxxi. An Act to confirm a Provisional Order of the Local Government Board relating to the Counties of London and Surrey. (*Local Government Board's Provisional Order Confirmation (No. 16).*)

P. lxxxii. An Act to confirm certain Provisional Orders of the Local Government Board relating to Bury and the Bury and District Joint Hospital District. (*Local Government Board's Provisional Orders Confirmation* (*No.* 17).)

P. lxxxiii. An Act to confirm a Provisional Order of the Local Government Board relating to Wolverhampton. (*Local Government Board's Provisional Order Confirmation* (*No.* 18).)

P. lxxxiv. An Act to confirm certain Provisional Orders of the Secretary of State under the Military Lands Act 1892. (*Military Lands Provisional Orders Confirmation.*)

P. lxxxv. An Act to confirm certain Provisional Orders made by the Board of Education under the Elementary Education Acts 1870 to 1900 to enable the School Boards for East Ham Lower Michaelstone Manchester and Willesden to put in force the Lands Clauses Acts. (*Education Board Provisional Orders Confirmation* (*East Ham &c.*).)

P. lxxxvi. An Act to confirm a Provisional Order under the Burgh Police (Scotland) Act 1892 relating to Hamilton Burgh Water and Town Hall. (*Hamilton Burgh Order Confirmation.*)

P. lxxxvii. An Act to confirm a Provisional Order under the Burgh Police (Scotland) Act 1892 relating to Broughty Ferry Gas Supply. (*Broughty Ferry Gas Order Confirmation.*)

P. lxxxviii. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Abersychan Calverley Falmouth Horsforth Launceston Maesteg Walton-upon-Thames Warmley Whickham and Wigan (Rural). (*Electric Lighting Orders Confirmation* (*No.* 5).)

P. lxxxix. An Act to confirm certain Provisional Orders made by the Board of Trade under the Electric Lighting Acts 1882 and 1888 relating to Cambridge and District Isle of Sheppey and District Sandwich Deal Walmer and District Sittingbourne and Milton Strood and Dartford (Rural Districts) Tadcaster and District (Extension) Uxbridge and District (Extension) and Wimbledon (Extension). (*Electric Lighting Orders Confirmation* (*No.* 7).)

P. xc. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Truro and Salen (Mull). (*Pier and Harbour Orders Confirmation* (*No.* 6).)

P. xci. An Act to consolidate the existing loans of the Southampton Harbour Board and to empower them to raise further money and to authorise contributions by and agreements with the London and South Western Railway Company and the Mayor Aldermen and Burgesses of the borough of Southampton and for other purposes. (*Southampton Harbour.*)

xcii. An Act to amend King's College London Act 1882. (*King's College London.*)

xciii. An Act to authorise the Scunthorpe Urban District Council to construct waterworks in lieu of the waterworks authorised by the Scunthorpe Urban District Gas and Water Act 1899 and for other purposes. (*Scunthorpe Urban District Water.*)

xciv. An Act to confer further powers upon the Ipswich Gas Light Company. (*Ipswich Gas.*)

xcv. An Act to authorise the Lanarkshire and Dumbartonshire Railway Company to raise further moneys to enable the Caledonian Railway Company to subscribe for additional shares or stock to sanction certain existing railways and for other purposes. (*Lanarkshire and Dumbartonshire Railway.*)

xcvi. An Act to authorise the Urban District Council of New Hunstanton to acquire land for water and gas purposes to construct an outfall sewer and to make further provision in regard to the health local government improvement and finance of the Urban District and for other purposes. (*New Hunstanton Improvement.*)

xcvii. An Act for empowering the British Gas Light Company Limited to expend further capital at Norwich. (*British Gas Light Company Limited* (*Norwich*).)

xcviii. An Act to empower the Hastings Tramways Company to construct extension tramways in the county borough of Hastings and for other purposes. (*Hastings Tramways* (*Extensions*).)

xcix. An Act to extend the powers of the Jewish Colonization Association and for other purposes. (*Jewish Colonization Association.*)

c. An Act to authorise the Hampton Court Gas Company to raise additional capital to convert their existing capital to enlarge their works to amend their existing Act and for other purposes. (*Hampton Court Gas.*)

ci. An Act to confer further powers upon the Charing Cross Euston and Hampstead Railway Company to authorise agreements with the Underground Electric Railways Company of London Limited and for other purposes. (*Charing Cross Euston and Hampstead Railway.*)

cii. An Act to extend the time for the compulsory purchase of lands and for the construction and completion of the Wolverhampton and Cannock Chase Railway and for other purposes. (*Wolverhampton and Cannock Chase Railway* (*Extension of Time*).)

ciii. An Act for conferring further powers upon the London and North Western Railway Company in relation to their own undertaking and upon that Company and the Midland Railway Company in relation to their respective joint undertakings and upon the Shropshire Union Railways and Canal Company in relation to their undertaking and for other purposes. (*London and North Western Railway.*)

civ. An Act to empower the Urban District Council of Nantwich to supply gas and to provide for the transfer of the undertaking of the Nantwich Gas Company Limited to the Council and to make further and better provision with regard to the supply of electricity and for the improvement health local government and finance of the district and for other purposes. (*Nantwich Urban District Council.*)

cv. An Act to confer further powers upon the Sheffield and South Yorkshire Navigation Company. (*Sheffield and South Yorkshire Navigation.*)

cvi. An Act to authorise the Corporation of Torquay to construct additional waterworks and for other purposes. (*Torquay Corporation Water.*)

cvii. An Act to extend the time for the construction of certain waterworks authorised by the Nelson Local Board Act 1888 for protecting the water supply from pollution and to make better provision in regard to the supply of water and for other purposes. (*Nelson Corporation.*)

cviii. An Act to extend the periods for the commencement of the construction and for the completion of the tramways tramroads and other works and for the taking of lands authorised by the West Cumberland Electric Tramways Act 1901 to extend the area within which the West Cumberland Electric Tramways Company may supply electricity and to confer on that Company further and additional powers with regard to such supply and for other purposes. (*West Cumberland Electric Tramways.*)

cix. An Act to confer further powers upon the Fishguard and Rosslare Railways and Harbours Company for the construction of a railway and other works and the acquisition of lands and to make provision as to a bridge over the river Suir at Waterford to empower the Great Western and Great Southern and Western Railway Companies to guarantee interest on the capital of the Company and for other purposes. (*Fishguard and Rosslare Railways and Harbours.*)

cx. An Act to confer further powers upon the Hexham Gas Company. (*Hexham Gas.*)

cxi. An Act to enable the Cheshire Lines Committee to make new railways to acquire additional lands and for other purposes. (*Cheshire Lines.*)

cxii. An Act to confirm an agreement between the Highland Railway Company and the Invergarry and Fort Augustus Railway Company to enable the Highland Railway Company to erect and maintain a hotel at Dornoch to apply their capital thereto and for other purposes. (*Highland and Invergarry and Fort Augustus Railway Companies.*)

cxiii. An Act to authorise the Port Talbot Railway and Docks Company to raise further moneys for the purposes of their undertaking. (*Port Talbot Railway and Docks.*)

cxiv. An Act to empower the Urban District Council of Merthyr Tydfil to construct additional waterworks and a street improvement and to make further and better provision for the good government health and improvement of the district and for other purposes. (*Merthyr Tydfil Urban District Council.*)

cxv. An Act to empower the Pontypridd Urban District Council to make a new street and other street works to lay down a tramway and to confer further powers upon the Council with regard to their gas and electricity undertakings and with regard to the good government and improvement of the district. (*Pontypridd Urban District Council.*)

cxvi. An Act to authorise the Council for the Urban District of Frinton-on-Sea in the county of Essex to construct and maintain sea-walls and other works at Frinton-on-Sea and to improve and regulate the sea front of the said district and for other purposes. (*Frinton-on-Sea Defences.*)

cxvii. An Act for empowering the Cardiff Railway Company to construct a new railway and works and to abandon the construction of a portion of railway already authorised for extending the time for the completion of certain railways and works and for other purposes. (*Cardiff Railway.*)

cxviii. An Act to make further and better provision with regard to the electric light undertaking of the Council and for the improvement health local government and finance of the district and for other purposes. (*Aston Manor Improvement.*)

cxix. An Act for making railways in the county of Derby from the Midland Railway (Dore and Chinley Branch) at Grindleford to the Midland Railway (Derby and Manchester Branch) at Bakewell and for other purposes. (*Grindleford Baslow and Bakewell Railway.*)

cxx. An Act to confer further powers on the London Brighton and South Coast Railway Company and for other purposes. (*London Brighton and South Coast Railway.*)

cxxi. An Act to authorise the Mersey Docks and Harbour Board to construct additional dock works on the Liverpool side of the River Mersey to amend in certain respects the Acts relating to that Board and for other purposes. (*Mersey Docks and Harbour Board.*)

cxxii. An Act for conferring further Powers on the Broadstairs Gas Company. (*Broadstairs Gas.*)

cxxiii. An Act to make further and better provision with regard to the improvement health local government and finance of the borough of Hyde and for other purposes. (*Hyde Corporation.*)

cxxiv. An Act to make provision as to the water supply of the borough of Leigh and the Urban District of Hindley to enable the Corporation of Leigh to make new waterworks tramways and street improvements and to make further provisions for the health local government and improvement of the said borough and for other purposes. (*Leigh Corporation.*)

cxxv. An Act to confer further powers upon the Great Northern Railway Company. (*Great Northern Railway.*)

cxxvi. An Act to empower the Metropolitan District Railway Company to deviate the railway authorised by the Metropolitan District Railway Act 1897 and to construct other railways to acquire lands to lay down electric cables to raise further capital to acquire the Hounslow and Metropolitan Railway and for other purposes. (*Metropolitan District Railway.*)

cxxvii. An Act to provide for the vesting of the undertaking of the Belfast and Northern Counties Railway Company in the Midland Railway Company. (*Midland Railway (Belfast and Northern Counties Railway Purchase).*)

ROYAL ASSENT, 11th August 1903.

P. cxxviii. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Dawlish Bude and Sandown. (*Pier and Harbour Orders Confirmation (No. 2).*)

P. cxxix. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Aultbea and Pennan. (*Pier and Harbour Orders Confirmation (No. 3).*)

P. cxxx. An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Sligo Limerick and Dundalk. (*Pier and Harbour Orders Confirmation (No. 4).*)

P. **cxxxi.** An Act to confirm certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861 relating to Boscombe and Bournemouth Carnarvon Gorleston Herne Bay and Avoch. (*Pier and Harbour Orders Confirmation* (*No.* 5).)

P. **cxxxii.** An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Cobham Gas Conisbrough Gas Hailsham Gas St. Ives (Hunts) Gas and Woking District Gas. (*Gas Orders Confirmation* (*No.* 1).)

P. **cxxxiii.** An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Brading Harbour District Gas Crossgates Halton and Seacroft Gas Herne Bay Gas Pembroke Docks and Town Gas and Riddings District Gas. (*Gas Orders Confirmation* (*No.* 2).)

P. **cxxxiv.** An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Bolsover and District Water Goring and Streatley District Water Leatherhead and District Water Ludgershall Water and Mid-Kent Water. (*Water Orders Confirmation.*)

P. **cxxxv.** An Act to confirm certain Provisional Orders of the Local Government Board relating to the Metropolitan Boroughs of Hampstead Holborn and Lambeth. (*Local Government Board's Provisional Orders Confirmation* (*No.* 5).)

P. **cxxxvi.** An Act to confirm certain Provisional Orders of the Local Government Board relating to the Auckland Shildon and Willington the Croydon and Wimbledon the Tarvin Malpas and Tarporley and the Windsor and Egham Joint Hospital Districts. (*Local Government Board's Provisional Orders Confirmation* (*No.* 8).)

P. **cxxxvii.** An Act to confirm certain Provisional Orders of the Local Government Board relating to Dover and Yeovil. (*Local Government Board's Provisional Orders Confirmation* (*No.* 13).)

P. **cxxxviii.** An Act to confirm a Provisional Order under the Drainage and Improvement of Lands Act (Ireland) 1863 and the Acts amending the same relating to the Pallas River Drainage District in the County of Tipperary. (*Drainage and Improvement of Lands Supplemental* (*Ireland*).)

P. **cxxxix.** An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the County of Wexford the Urban District of Wexford and the Town of Keady. (*Local Government Board* (*Ireland*) *Provisional Orders Confirmation* (*No.* 3).)

P. cxl. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to Castleblayney (Urban) Castleblayney (Rural) the port of Cork and the Portadown and Banbridge Joint Waterworks District. (*Local Government Board (Ireland) Provisional Orders Confirmation (No.* 5).)

P. cxli. An Act to confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Urban Districts of Ballymena Ballymoney Banbridge Bangor Carrickfergus Dromore Holywood Larne Lisburn Newry Newtownards Portrush and Warrenpoint and the Counties of Antrim Armagh and Down. (*Local Government Board (Ireland) Provisional Orders Confirmation (No.* 7).)

P. cxlii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Perth Corporation (Tramways). (*Perth Corporation (Tramways) Order Confirmation.*)

P. cxliii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Aberdeen Corporation Tramways. (*Aberdeen Corporation Tramways Order Confirmation.*)

P. cxliv. An Act to confirm a Provisional Order made by one of His Majesty's Principal Secretaries of State under the Metropolitan Police Act 1886 relating to land in the Royal Borough of Kensington. (*Metropolitan Police Provisional Order Confirmation.*)

P. cxlv. An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act 1870 relating to Burton-upon-Trent Corporation Tramways Bury Corporation Tramways Cardiff Corporation Tramways (Extension) Huddersfield Corporation Tramways Leeds Corporation Tramways Newcastle-upon-Tyne Corporation Tramways and Portobello and Musselburgh Tramways. (*Tramways Orders Confirmation (No.* 1).)

P. cxlvi. An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act 1870 relating to Barrow-in-Furness Tramways Horsforth Urban District Council Tramways Keighley Corporation Tramways and Ramsbottom Urban District Council Tramways. (*Tramways Orders Confirmation (No.* 2).)

P. cxlvii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Irvine and District Water Board. (*Irvine and District Water Board Order Confirmation.*)

P. cxlviii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Royal Burgh of Rothesay. (*Rothesay Corporation Order Confirmation.*)

P. cxlix. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Scottish Episcopal Clergy Widows' and Orphans' Fund. (*Scottish Episcopal Clergy Widows' and Orphans' Fund Order Confirmation.*)

P. cl. An Act to confirm a Provisional Order made by the Board of Education under the Education Acts 1870 to 1902 to enable the School Board for London to put in force the Lands Clauses Acts. (*Education Board Provisional Order Confirmation (London).*)

P. cli. An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Aldershot Gas and Water Amersham Beaconsfield and District Water St. David's Water and Gas St. Neot's Water and Wexford Gas. (*Gas and Water Orders Confirmation.*)

P. clii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Glasgow Corporation (Police). (*Glasgow Corporation (Police) Order Confirmation.*)

P. cliii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Lanarkshire Tramways. (*Lanarkshire Tramways Order Confirmation.*)

P. cliv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Wick and Pulteney Harbours. (*Wick and Pulteney Harbours Order Confirmation.*)

P. clv. An Act to confirm a scheme of the Charity Commissioners for the management of the charity called Addenbrooke's Hospital in the town of Cambridge in the county of Cambridge regulated by the Act of the seventh year of George the Third chapter ninety-nine. (*Addenbrooke's Hospital Scheme Confirmation.*)

P. clvi. An Act to enable His Majesty's Postmaster-General to acquire lands in London and Bristol for the public service and for other purposes. (*Post Office (Sites).*)

P. clvii. An Act to enable the Scottish American Mortgage Company Limited to create preference stock to enlarge its powers and for other purposes. (*Scottish American Mortgage Company Limited.*)

P. clviii. An Act to authorise the South Lancashire Tramways Company to construct additional tramways and other works and to extend the time for taking lands and for the construction and completion of certain authorised tramways and widenings and for other purposes. (*South Lancashire Tramways.*)

clix. An Act to confer further powers on the Didcot Newbury and Southampton Railway Company. (*Didcot Newbury and Southampton Railway.*)

clx. An Act to empower the Great Southern and Western Railway Company to construct certain new railways to acquire additional lands to enlarge and improve their station at Waterford to confer further powers upon the Company to enable them to raise additional capital and for other purposes. (*Great Southern and Western Railway.*)

clxi. An Act to provide for the sale and disposal of Saint Philip's Chapel (Regent Street) and for other purposes. (*Saint Philip (Regent Street) Chapel.*)

clxii. An Act to authorise the Baker Street and Waterloo Railway Company to acquire additional lands and for other purposes. (*Baker Street and Waterloo Railway.*)

clxiii. An Act to enable the Midland Great Western Railway of Ireland Company to construct a railway from Kingscourt to Castleblayney to acquire additional lands and for other purposes. (*Midland Great Western Railway of Ireland.*)

clxiv. An Act to empower the Walker and Wallsend Union Gas Company to raise additional capital and for other purposes. (*Walker and Wallsend Union Gas.*)

clxv. An Act to confirm an agreement for the transfer to the Blackheath and Greenwich District Electric Light Company Limited of the undertaking of the Lewisham and District Electric Supply Company Limited and to confer further powers upon the Blackheath and Greenwich District Electric Light Company Limited and for other purposes. (*Blackheath and Greenwich District Electric Light Company's.*)

clxvi. An Act for consolidating the capital of the Derby Gas Light and Coke Company for enabling that Company to raise additional capital and for other purposes. (*Derby Gas.*)

clxvii. An Act for empowering the Dudley Stourbridge and District Electric Traction Company Limited to work their tramways by mechanical or electrical power and for other purposes. (*Dudley Stourbridge and District Tramways.*)

clxviii. An Act to extend the time limited for the completion of and purchase of lands for the works authorised by the Christchurch and Bournemouth Tramways Act 1900 and for other purposes. (*Christchurch and Bournemouth Tramways.*)

clxix. An Act for authorising the Tynemouth and District Electric Traction Company Limited to use mechanical power upon their tramways and for other purposes. (*Tynemouth and District Tramways.*)

clxx. An Act to make further provision with respect to the health and good government of the county borough of Middlesbrough and the collection of rates within the said borough and for other purposes. (*Middlesbrough Corporation.*)

clxxi. An Act for extending the time for the purchase of certain lands and completion of certain railways by the Taff Vale Railway Company for enabling the Company to work their railways by electrical power and for other purposes. (*Taff Vale Railway.*)

clxxii. An Act to confer further powers on the Mayor Aldermen and Burgesses of the borough of Sutton Coldfield in regard to their electric light undertaking and to make further provision for the improvement health local government and finance of the borough and for other purposes. (*Sutton Coldfield Corporation.*)

clxxiii. An Act for empowering the City and South London Railway Company to construct an extension of their underground railway to Euston in the county of London and for transferring to that Company the powers of the City and Brixton Railway Company and for other purposes. (*City and South London Railway.*)

clxxiv. An Act to transfer the electricity undertaking of the Walker and Wallsend Union Gas Company to the Newcastle-upon-Tyne Electric Supply Company Limited and for other purposes. (*Newcastle-upon-Tyne Electric Supply Company's.*)

clxxv. An Act to authorise the Empire Electric Light and Power Company Limited to construct tramways in Romford and the adjoining districts in the county of Essex and for other purposes. (*Romford and District Tramways.*)

clxxvi. An Act to confer further powers upon the Mayor Aldermen and Burgesses of the borough of Wigan in regard to the construction of tramways and street improvements and for other purposes. (*Wigan Corporation Tramways.*)

clxxvii. An Act to authorise the Mayor Aldermen and Councillors of the metropolitan borough of Woolwich to supply electrical energy in bulk to the Urban District Council of Foots Cray to confer further powers upon the said Mayor Aldermen and Councillors and to make further provision with respect to markets in the borough of Woolwich and for other purposes. (*Woolwich Borough Council.*)

clxxviii. An Act to empower the Mayor Aldermen and Burgesses of the borough of Bournemouth to maintain and use the tramways authorised by the Bournemouth Corporation Tramways Order 1900 and to make provision for the transfer of the undertaking of the Poole and District Electric Traction Company Limited and for other purposes. (*Bournemouth Corporation Tramways.*)

clxxix. An Act to amend the Alexandra Park and Palace (Public Purposes) Act 1900 and to confer powers on the Alexandra Park Trustees to make charges for admission on bank holidays. (*Alexandra Park and Palace.*)

clxxx. An Act to authorise the Chatham and District Light Railways Company to construct tramways and tramroads and other works and for other purposes. (*Chatham and District Light Railways Company.*)

clxxxi. An Act to confer powers on the Urban District Council of Willesden with respect to their electric lighting undertaking and recreation grounds streets buildings sanitary and other matters for the good government of their district and to transfer to them the powers of the Vestry of the parish of Willesden and for other purposes. (*Willesden Urban District Council.*)

clxxxii. An Act to authorise the Mayor Aldermen and Citizens of the city of Exeter to construct tramways and street improvements and for other purposes. (*Exeter Corporation.*)

clxxxiii. An Act to extend the time for the completion of certain railways by the Barry Railway Company to confirm an agreement between the Company and certain landowners to empower the Company to raise additional capital and for other purposes. (*Barry Railway.*)

clxxxiv. An Act to authorise the construction of a new tramway in the Urban District of Ravensthorpe and the electrical equipment and reconstruction of tramways in the boroughs of Dewsbury and Batley and the Urban Districts of Gomersal Birkenshaw Soothill Upper and Birstal and for other purposes. (*Dewsbury Batley and Birstal Tramways.*)

clxxxv. An Act to empower the Mayor Aldermen and Burgesses of the borough of Worthing to construct tramways in and adjacent to the borough and for other purposes. (*Worthing Corporation (Tramways).*)

clxxxvi. An Act to confer further powers on the Great Northern Piccadilly and Brompton Railway Company and for other purposes. (*Great Northern Piccadilly and Brompton Railway (Various Powers).*)

clxxxvii. An Act to empower the London County Council to purchase lands to extend the time for completion of certain works to empower the Metropolitan Borough Councils of Camberwell and Kensington to execute works and purchase lands to make provision with respect to premises used for receiving horses for slaughter and carcases of dead horses and the removal and disposal of dead horses to make provision with respect to the drainage of Upper Norwood to confer powers upon Metropolitan Borough Councils with respect to street markets and the provision and maintenance of public clocks and for other purposes. (*London County Council (General Powers).*)

clxxxviii. An Act to confer further powers upon the London Tilbury and Southend Railway Company. (*London Tilbury and Southend Railway.*)

clxxxix. An Act to incorporate the Watford and Edgware Railway Company and for empowering them to construct a railway from Watford to Edgware and for other purposes. (*Watford and Edgware Railway.*)

cxc. An Act to empower the Harrow Road and Paddington Tramways Company to work their tramways by mechanical power to lease their undertaking to the Metropolitan Electric Tramways Limited and for other purposes. (*Harrow Road and Paddington Tramways.*)

cxci. An Act for conferring further powers on the London United Tramways (1901) Limited for widening and altering roads and acquiring lands in the counties of Middlesex Surrey and London and for other purposes. (*London United Tramways.*)

cxcii. An Act to empower the Corporation of Birmingham to work tramways and to construct an additional tramway and to confer further powers on them in regard to streets buildings and sewers and the health local government and improvement of the city and for other purposes. (*Birmingham Corporation.*)

cxciii. An Act to incorporate the Manchester Southern Tramways Company and to empower that Company to make and maintain tramways and other works in the county palatine of Lancaster and in the county of Chester and for other purposes. (*Manchester Southern Tramways.*)

cxciv. An Act to extend the time limited by the Kingscourt Keady and Armagh Railway Act 1900 for the compulsory purchase of lands and for the construction of certain of the railways authorised by that Act and for other purposes. (*Castleblayney Keady and Armagh Railway.*)

cxcv. An Act to authorise the Portsmouth Street Tramways Company to construct new tramways in the urban districts of Gosport and Alverstoke and of Fareham in the county of Southampton to work such new tramways and to adapt the existing tramways of that Company in the urban district of Gosport and Alverstoke for working by electrical or other mechanical power and for other purposes. (*Gosport and Fareham Tramways.*)

cxcvi. An Act for conferring further powers upon the Great Western Railway Company in respect of their own undertaking and upon that Company and the London and North Western Railway Company and the Midland Railway Company in respect of undertakings in which they are jointly interested for amalgamating the Ely Valley Railway Company with the Great Western Railway Company and for other purposes. (*Great Western Railway.*)

cxcvii. An Act to extend and enlarge the powers of the Lancashire and Yorkshire Railway Company and the London and North Western Railway Company as to steam vessels and for other purposes. (*Lancashire and Yorkshire and London and North Western Railway Companies (Steam Vessels).*)

cxcviii. An Act to confer further powers upon the Neath Pontardawe and Brynaman Railway Company for the construction of railways to authorise the Company to raise additional capital and for other purposes. (*Neath Pontardawe and Brynaman Railway.*)

cxcix. An Act to authorise the Mayor Aldermen and Burgesses of the borough of Chard to purchase the undertaking of the Chard Gas Company and to supply gas within their borough and the neighbourhood thereof and for other purposes. (*Chard Corporation Gas.*)

cc. An Act to authorise the Mayor Aldermen and Citizens of the City of Rochester to construct tramways and street improvements and for other purposes. (*Rochester Corporation Tramways and Improvements.*)

cci. An Act for rendering valid certain letters patent granted to William Phillips Thompson in respect of inventions communicated to him from abroad by Frederic Ellsworth Kip (1) for improvements in stop motions for looms warping machines and the like and (2) for improvements in electrical stop-motions for warps. (*Kip's Patents.*)

ccii. An Act to incorporate the Nottinghamshire and Derbyshire Tramways Company and to empower that Company to make and maintain tramways and other works in the counties of Nottingham and Derby and for other purposes. (*Nottinghamshire and Derbyshire Tramways.*)

cciii. An Act to repeal section 17 of the West Bromwich Corporation Act 1900 and section 4 of the West Bromwich Improvement Amendment Act 1865 and to enact other provisions in lieu thereof and for other purposes. (*West Bromwich Corporation.*)

cciv. An Act to authorise the British Electric Traction Company Limited to construct new tramways between Worthing and Shoreham to work such new tramways and to adapt the existing tramways between Shoreham and Hove for working by electrical or other mechanical power and for other purposes. (*Hove Worthing and District Tramways*)

ccv. An Act to enable the South Eastern and Chatham Railway Companies Managing Committee to work the South Eastern and London Chatham and Dover Railways by electrical power and for other purposes. (*South Eastern and London Chatham and Dover Railways.*)

ccvi. An Act to confer power on the Scottish Ontario and Manitoba Land Company Limited for the repayment and reduction of their capital and for other purposes. (*Scottish Ontario and Manitoba Land Company Limited.*)

ccvii. An Act to empower the Corporation of Bath to construct additional waterworks and for other purposes. (*Bath Corporation Water.*)

ccviii. An Act to make provision in respect of the lease of the undertaking of the Dublin and Kingstown Railway Company to the Dublin Wicklow and Wexford Railway Company to enable the Dublin Wicklow and Wexford Railway Company to make certain diversion railways and other works to raise additional money and for other purposes. (*Dublin Wicklow and Wexford Railway.*)

ccix. An Act to authorise the Bournemouth Gas and Water Company to acquire additional lands to construct works and for other purposes. (*Bournemouth Gas and Water.*)

ccx. An Act for incorporating and conferring powers on the Carmarthenshire Electric Power Company. (*Carmarthenshire Electric Power Company.*)

ccxi. An Act to empower the Lord Mayor Aldermen and Burgesses of the City of Bristol to construct additional dock railways and works and for other purposes. (*Bristol Corporation.*)

ccxii. An Act to incorporate a Company and authorise them to acquire the undertaking of the Commissioners for the harbour of Maryport and to construct a dock railways and works at and near Maryport and for other purposes. (*Maryport Harbour.*)

ccxiii. An Act to confer further powers upon the Lord Mayor Aldermen and Citizens of the city of Manchester with reference to tramways and streets and otherwise for the better local government and improvement of the city to extend the city and to make provision with reference to the Manchester Royal Infirmary and the borrowing powers of the Corporation and for other purposes. (*Manchester Corporation.*)

ccxiv. An Act for incorporating and conferring powers on the Somerset and District Electric Power Company. (*Somerset and District Electric Power.*)

ccxv. An Act to enable the City of Birmingham Tramways Company Limited to construct additional tramways and for other purposes. (*Birmingham District Tramways.*)

ccxvi. An Act to extend the time limited by the Baker Street and Waterloo Railway Act 1900 for the compulsory purchase of lands and for the construction of certain of the railways authorised by that Act and for other purposes. (*Baker Street and Waterloo Railway (Extension of Time).*)

ccxvii. An Act to authorise the Urban District Council of Beckenham in the county of Kent to carry out street improvements to construct and work tramways and to make further provision in regard to the electricity undertaking of the council and for the improvement health local government and finance of the district and for other purposes. (*Beckenham Urban District Council.*)

ccxviii. An Act to regulate the expenditure of money by the London County Council on capital account during the current financial period and the raising of money to meet such expenditure. (*London County Council (Money).*)

ccxix. An Act to enable the London County Council to construct and work tramways in the county of London to make street improvements and to acquire and use lands for the purposes of a station or stations for generating electric energy to empower the Council of the metropolitan borough of Woolwich to widen and improve Well Hall Road and for other purposes. (*London County Council (Tramways and Improvements).*)

ccxx. An Act to incorporate the Mullingar Kells and Drogheda Railway Company and for making railways and other works in the counties of Westmeath Meath and Louth and to confer subscription and other powers on certain existing railway companies and for other purposes. (*Mullingar Kells and Drogheda Railway.*)

ccxxi. An Act for incorporating and conferring powers on the Fife Electric Power Company. (*Fife Electric Power.*)

ccxxii. An Act to enable the Mayor Aldermen and Burgesses of the county borough of South Shields to construct tramways in the borough and for other purposes. (*South Shields Corporation.*)

ccxxiii. An Act to confer further powers upon the Urban District Council for the district of East Ham in the county of Essex. (*East Ham Improvement.*)

ccxxiv. An Act to enable the Urban District Council of Wood Green to acquire part of Wood Green Common for the purposes of a dust destructor and to make further provision with regard to the electric light undertaking of the Council and for the improvement health and local government of the district and for other purposes. (*Wood Green Urban District Council.*)

ccxxv. An Act to empower the Mayor Aldermen and Burgesses of the county borough of Brighton to construct and work tramways and for other purposes. (*Brighton Corporation.*)

Royal Assent, 14th August 1903.

P. **ccxxvi.** An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Airdrie and Coatbridge Tramways. (*Airdrie and Coatbridge Tramways Order Confirmation.*)

P. **ccxxvii.** An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Lerwick Harbour. (*Lerwick Harbour Improvements Act 1877 Amendment Order Confirmation.*)

P. **ccxxviii.** An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Glasgow Corporation Tramways. (*Glasgow Corporation Tramways Order Confirmation.*)

P. **ccxxix.** An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the burgh of Auchterarder. (*Auchterarder Town Council Order Confirmation.*)

P. **ccxxx.** An Act for the acquisition of land for the further extension of the Patent Office and for purposes connected therewith. (*Patent Office (Extension).*)

ccxxxi. An Act to confer further powers upon the South Staffordshire Tramways (lessee) Company Limited for the working of tramways by electrical power and for other purposes. (*South Staffordshire Tramways.*)

ccxxxii. An Act to separate University College Liverpool from the Victoria University and to merge it in the University of Liverpool and to transfer all the property and liabilities of the said University College to the University of Liverpool and for other purposes. (*Liverpool University.*)

ccxxxiii. An Act to confer powers on the Mayor Aldermen and Citizens of the city of Bradford with respect to tramways waterworks and gas supply to enable the Corporation and the Urban District Council of Shipley to exchange portions of their respective gas undertakings and to make further provisions with respect to rating and various matters of local administration and management. (*Bradford Corporation.*)

ccxxxiv. An Act empower the Bury and District Joint Water Board to construct additional waterworks to repeal and amend enactments relating to the water undertaking of the Board and for other purposes. (*Bury and District Joint Water Board.*)

ccxxxv. An Act to incorporate the Preston Chorley and Horwich Tramways Company and to empower that Company to make and maintain tramways and other works and for other purposes. (*Preston Chorley and Horwich Tramways.*)

ccxxxvi. An Act to enable the Mayor Aldermen and Burgesses of the borough of Salford to construct an additional tramway and to make street improvements to confirm an agreement with the Lord Mayor Aldermen and Citizens of the city of Manchester to provide for transfer to the Corporation of certain powers of electric lighting and to enable the Corporation to raise additional moneys by mortgage and by the creation and issue of stock and for other purposes. (*Salford Corporation.*)

ccxxxvii. An Act for incorporating and conferring powers on the Shropshire and Worcestershire Electric Power Company. (*Shropshire and Worcestershire Electric Power.*)

ccxxxviii. An Act for incorporating and conferring powers on the North Western Electricity and Power-Gas Company and for other purposes. (*North Western Electricity and Power-Gas.*)

ccxxxix. An Act to define the ranking and priority of the mortgages of the Hastings Harbour Commissioners already issued and to be issued under former Acts for the completion of the harbour works to extend the periods limited for the purchase of lands for and for the completion of such works and for other purposes. (*Hastings Harbour.*)

ccxl. An Act to authorise the Hastings Harbour District Railway Company to construct deviation railways and new railways to raise additional capital and for other purposes. (*Hastings Harbour District Railway.*)

ccxli. An Act for incorporating and conferring powers on the Scottish Central Electric Power Company. (*Scottish Central Electric Power.*)

ccxlii. An Act to incorporate the Mid-Yorkshire Tramways Company and to empower that Company to make and maintain tramways and other works and for other purposes. (*Mid-Yorkshire Tramways.*)

ccxliii. An Act to empower the Mayor Aldermen and Burgesses of the borough of Bangor to make a gift of a new site for Bangor College to provide recreation grounds to provide weighing machines to acquire the Penrhyn Hall and for other purposes. (*Bangor Corporation.*)

ccxliv. An Act to empower the South Western and Isle of Wight Junction Railway Company to construct a railway and a pier to raise additional capital to enter into working agreements with the London and South Western Railway Company and for other purposes. (*South Western and Isle of Wight Junction Railway.*)

ccxlv. An Act to authorise the Urban District Council of Ebbw Vale to provide additional cemeteries and to make further provision with regard to the supply of electricity and for the improvement health local government and finance of the district and for other purposes. (*Ebbw Vale Improvement.*)

ccxlvi. An Act to empower the Corporation of Kingston-upon-Hull to make a certain street work and bridge to construct additional tramways and to confer further powers on them in regard to streets buildings and sewers and the health local government and improvement of the city and for other purposes. (*Kingston-upon-Hull Corporation.*)

ccxlvii. An Act to authorise the Corporation of Dover to borrow money for the purchase of the undertaking of the Dover Electricity Supply Company Limited and for other purposes. (*Dover Corporation.*)

ccxlviii. An Act to constitute and incorporate a joint board consisting of representatives of the urban district councils of Abercarn Abertillery Ebbw Vale Nantyglo and Blaina and Risca all in the county of Monmouth and to authorise the board to construct main trunk sewers and other works for the disposal of the sewage of such districts and for other purposes. (*Western Valleys (Monmouthshire) Sewerage Board.*)

ccxlix. An Act to incorporate the Stroud and District Tramways Company and to empower that Company to make and maintain tramways in the county of Gloucester and for other purposes. (*Stroud and District Tramways.*)

ccl. An Act to authorise the Urban District Council of Erith in the county of Kent to construct and work tramways to carry out street improvements and to make further provision in regard to the supply of electricity and for the improvement health local government and finance of the district and for other purposes. (*Erith Tramways and Improvement.*)

ccli. An Act to authorise the construction of new railways and the acquisition of lands by the Great Central Railway Company in connection with their undertaking the construction of a new railway by the North Wales and Liverpool Railway Committee or the Company in connection with the undertaking of that Committee the diversion of footpaths by the Great Western and Great Central Railways Joint Committee in connection with their undertaking and for other purposes. (*Great Central Railway.*)

cclii. An Act to make better provision for the health good government and improvement of the county borough of Gateshead and for other purposes. (*Gateshead Corporation.*)

ccliii. An Act for enabling the North Eastern the Lancashire and Yorkshire the Great Northern the Midland and the Great Central Railway Companies to construct or take over certain railways in South Yorkshire authorised by the Shireoaks Laughton and Maltby Railway Act 1901 and the North Eastern Railway Act 1902 and to construct other railways and works for constituting a joint committee and for other purposes. (*South Yorkshire Joint Railway.*)

ccliv. An Act to confer additional powers upon the North Eastern Railway Company for the construction of new railways and other works and the acquisition of lands and for other purposes. (*North Eastern Railway.*)

cclv. An Act to confer further powers on the Lord Mayor Aldermen and Citizens of the City of Sheffield with respect to their water undertaking and their electrical undertaking to authorise the execution of various street widenings and other works in the city to consolidate into one township certain townships in the city to make further and better provision for the improvement health and good government of the city and for other purposes. (*Sheffield Corporation.*)

cclvi. An Act to amend the Acts relating to the Cork Harbour Commissioners to confer further powers on the Commissioners and for other purposes. (*Cork Harbour.*)

cclvii. An Act to authorise the acquisition of lands known as Lambourne Common Chigwell Common Fox Burrows Farm Grange Hill Forest and other lands in the county of Essex for the purposes of public open spaces. (*Hainault* (*Lambourne Fox Burrows and Grange Hill*).)

cclviii. An Act for making railways in the county of Lancaster for connecting the Southport and Cheshire Lines Extension Railway with the Liverpool Overhead Railway and for other purposes. (*Seaforth and Sefton Junction Railway.*)

cclix. An Act to authorise the Coventry Electric Tramways Company to construct additional tramways and for other purposes. (*Coventry Electric Tramways.*)

cclx. An Act to authorise the construction of a railway in the counties of Tyrone and Donegal between Strabane and Convoy and for other purposes. (*Strabane Raphoe and Convoy Railway.*)

cclxi. An Act to authorise the British Electric Traction Company Limited to construct further tramways in the counties of Surrey and Kent and for other purposes. (*Croydon and District Electric Tramways* (*Extensions*).)

cclxii. An Act to change the name of the Newry Keady and Tynan Light Railway Company to extend the time for the compulsory purchase of lands for and for the completion of the railways authorised by the Newry Keady and Tynan Light Railway Act 1900 and for other purposes. (*Ulster and Connaught Light Railways.*)

cclxiii. An Act to empower the Urban District Council of Willesden to sell their generating station at Willesden to the North Metropolitan Electric Power Supply Company to confer further powers upon that Company and for other purposes. (*North Metropolitan Electric Power Supply.*)

PRIVATE ACTS.

Printed by the King's Printer, and whereof the printed copies may be given in evidence.

Royal Assent, 11th August 1903.

1. An Act to vest the estate of Lochnell in the county of Argyll in trustees for certain purposes with power of sale and other powers. (*Lochnell Estate.*)

2. An Act to enable money to be raised or secured upon the Pentillie estate in the county of Cornwall devised by the will of Augustus Coryton esquire deceased. (*Pentillie Estate.*)

TABLE IIA.

A TABLE OF THE TITLES OF THE LOCAL AND PRIVATE ACTS (INCLUDING THE PUBLIC ACTS OF A LOCAL CHARACTER) PASSED DURING THE SESSION 3 EDW. 7.—A.D. 1903, ARRANGED ALPHABETICALLY.

Aberdeen Corporation Tramways Order Confirmation. c. cxliii.

Addenbrooke's Hospital Scheme Confirmation. c. clv.

Airdrie and Coatbridge Tramways Order Confirmation. c. ccxxvi.

Alexandra Park and Palace. c. clxxix.

All Saints' Poplar Rate Abolition. c. xvi.

Aston Manor Improvement. c. cxviii.

Auchterarder Town Council Order Confirmation. c. ccxxix.

Baker Street and Waterloo Railway. c. clxii.

——————————— (Extension of Time). c. ccxvi.

Bangor Corporation. c. ccxliii.

Barry Railway. c. clxxxiii.

Bath Corporation Water. c. ccvii.

Beckenham Urban District Council. c. ccxvii.

Belfast Water. c. xxxix.

Birmingham Corporation. c. cxcii.

——— District Tramways. c. ccxv.

Blackheath and Greenwich District Electric Light Company's. c. clxv.

Bournemouth Corporation Tramways. c. clxxviii.

——— Gas and Water. c. ccix.

Bradford Corporation. c. ccxxxiii.

Bridgwater Gas. c. xix.

Brighton Corporation. c. ccxxv.

Bristol Corporation. c. ccxi.

British Gas Light Company Limited (Norwich). c. xcvii.

Broadstairs Gas. c. cxxii.

Broughty Ferry Gas Order Confirmation. c. lxxxvii.
Burgess Hill and St. John's Common Gas. c. xxi.
Bury and District Joint Water Board. c. ccxxxiv.
Caledonian Railway Order Confirmation. c. lxxii.
Cardiff Railway. c. cxvii.
Carmarthenshire Electric Power Company. c. ccx.
Castleblayney Keady and Armagh Railway. c. cxciv.
Chard Corporation Gas. c. cxcix.
Charing Cross Euston and Hampstead Railway. c. ci.
Chatham and District Light Railways Company. c. clxxx.
Cheshire Lines. c. cxi.
Christchurch and Bournemouth Tramways. c. clxviii.
City and South London Railway. c. clxxiii.
Cleveland and Durham County Electric Power. c. xxv.
Commercial Gas. c. xlii.
Cork Harbour. c. cclvi.
Coventry Electric Tramways. c. cclix.
Croydon and District Electric Tramways (Extensions). c. cclxi.
Derby Gas. c. clxvi.
Dewsbury Batley and Birstal Tramways. c. clxxxiv.
Didcot Newbury and Southampton Railway. c. clix.
Dover Corporation. c. ccxlvii.
Drainage and Improvement of Lands Supplemental (Ireland). c. cxxxviii.
Dublin Wicklow and Wexford Railway. c. ccviii.
Dudley Stourbridge and District Tramways. c. clxvii.
Dundee Royal Lunatic Asylum Order Confirmation. c. li.
East Ardsley Gas. c. xx.
East Ham Improvement. c. ccxxiii.
Ebbw Vale Improvement. c. ccxlv.
Edinburgh Corporation (Markets Slaughter-Houses, &c.) Order Confirmation. c. lxxiii.
Education Board Provisional Orders Confirmation (East Ham, &c.). c. lxxxv.
——————————————————— London. c. cl.
Electric Lighting Orders Confirmation :—
(No. 1). c. xlv.
(No. 2). c. xlvi.
(No. 3). c. xlvii.
(No. 4). c. xlviii.
(No. 5). c. lxxxviii.
(No. 6). c. xlix.
(No. 7). c. lxxxix.
Erith Tramways and Improvement. c. ccl.

Exeter Corporation. c. clxx xii.
Exeter Railway. c. xv.
Faversham Gas. c. x.
Fife Electric Power. c. ccxxi.
Fishguard and Rosslare Railways and Harbours. c. cix.
Forth Navigation Order Confirmation. c. lxxi.
Frinton-on-Sea Sea Defences. c. cxvi.
Gas Light and Coke Company's. c. xli.
Gas Orders Confirmation (No. 1). c. cxxxii.
——————————— (No. 2). c. cxxxiii.
Gas and Water Orders Confirmation. c. cli.
Gateshead Corporation. c. cclii.
Glasgow Corporation (Police) Order Confirmation. c. clii.
——————————— Tramways Order Confirmation. c. ccxxviii.
Gorleston and Southtown Gas. c. xxxviii.
Gosport and Fareham Tramways. c. cxcv.
Grangemouth Water Order Confirmation. c. lxix.
Great Central Railway. c. ccli.
Great Eastern Railway. c. xliii.
Great Northern Railway. c. cxxv.
Great Northern and City Railway. c. v.
Great Northern Piccadilly and Brompton Railway (Various Powers). c. clxxxvi.
Great Southern and Western Railway. c. clx.
Great Western Railway. c. cxcvi.
——————————— (Pension Fund). c. ii.
Grindleford Baslow and Bakewell Railway. c. cxix.
Hainault (Lambourne Fox Burrows and Grange Hill). c. cclvii.
Hamilton Burgh Order Confirmation. c. lxxxvi.
Hampton Court Gas. c. c.
Harrogate Water. c. xxxvii.
Harrow Road and Paddington Tramways. c. cxc.
Harrow and Stanmore Gas. c. xxxiv.
Hastings Harbour. c. ccxxxix.
Hastings Harbour District Railway. c. ccxl.
Hastings Tramways (Extensions). c. xcviii.
Hexham Gas. c. cx.
Highland and Invergarry and Fort Augustus Railway Companies. c. cxii.
Hove Worthing and District Tramways. c. cciv.

Hyde Corporation. c. cxxiii.

India Rubber Gutta Percha and Telegraph Works Company (Limited). c. xxvi.

Ipswich Gas. c. xciv.

Iveagh Trust. c. iii.

Irvine and District Water Board Order Confirmation. c. cxlvii.

Jewish Colonization Association. c. xcix.

King's College London. c. xcii.

Kingston-upon-Hull Corporation. c. ccxlvi.

Kip's Patents. c. cci.

Knott End Railway (Extension of Time). c. xxx.

Lanarkshire Electricity and Refuse Destruction Order Confirmation. c. lxx.

Lanarkshire Tramways Order Confirmation. c. cliii.

Lanarkshire and Ayrshire Railway Order Confirmation. c. l.

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Lancashire and Yorkshire and London and North Western Railway Companies (Steam Vessels). c. cxcvii.

Land Drainage Provisional Order Confirmation. c. xliv.

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Local Government Board's Provisional Orders Confirmation :—

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(No. 2). c. lix.
(No. 3). c. lx.
(No. 4). c. lxi.
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(No. 6). c. lxii.
(No. 7). c. lxiii.
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(No. 9). c. lxxvii.
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(No. 11). c. lxiv.
(No. 12). c. lxxix.
(No. 13). c. cxxxvii.
(No. 14). c. lxxx.
(No. 16). c. lxxxi.
(No. 17). c. lxxxii.
(No. 18). c. lxxxiii.
(Gas). c. lxv.
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(Poor Law). c. lxxvi.

Local Government Board (Ireland) Provisional Orders Confirmation :—

(No. 1). c. lii.
(No. 2). c. liii.
(No. 3). c. cxxxix.
(No. 4). c. liv.
(No. 5). c. cxl.
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London County Council (General Powers). c. clxxxvii.
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London Hydraulic Power Company's. c. xvii.
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Military Lands Provisional Orders Confirmation. c. lxxxiv.
Mullingar Kells and Drogheda Railway. c. ccxx.
Nantwich Urban District Council. c. civ.
Naval Works Provisional Order Confirmation. c. lxvii.
Neath Pontardawe and Brynaman Railway. c. cxcviii.
Nelson Corporation. c. cvii.
New Hunstanton Improvement. c. xcvi.
Newcastle-upon-Tyne Electric Supply Company's. c. clxxiv.
North's Navigation Collieries (1889) Limited. c. xi.
North British Railway (General Powers) Order Confirmation. c. lxxiv.
North Eastern Railway. c. ccliv.
North Metropolitan Electric Power Supply. c. cclxiii.
North Middlesex Gas. c. viii.
North Western Electricity and Power-Gas. c. ccxxxviii.
Nottinghamshire and Derbyshire Tramways. c. ccii.

Patent Office (Extension). c. ccxxx.

Pelican and British Empire Life Office. c. xiii.

Pentillie Estate. c. *ii.*

Perth Corporation (Tramways) Order Confirmation. c. cxlii.

Pier and Harbour Orders Confirmation :—

(No. 1). c. lxviii.
(No. 2). c. cxxviii.
(No. 3). c. cxxix.
(No. 4). c. cxxx.
(No. 5). c. cxxxi.
(No. 6). c. xc.

Plymouth and Stonehouse Gas. c. ix.

Pontypridd Urban District Council. c. cxv.

Port Talbot Railway and Docks. c. cxiii.

Post Office (Sites). c. clvi.

Preston Chorley and Horwich Tramways. c. ccxxxv.

Queensland Investment and Land Mortgage Company's. c. iv.

Rickmansworth Gas. c. xxxvi.

Rochester Corporation Tramways and Improvements. c. cc.

Romford and District Tramways. c. clxxv.

Rothesay Corporation Order Confirmation. c. cxlviii.

St. Luke's Church and Parish *Quoad Sacra* Edinburgh Order Confirmation. c. lxvi.

St. Philip (Regent Street) Chapel. c. clxi.

Salford Corporation. c. ccxxxvi.

Scarborough Gas. c. xxii.

Scottish American Mortgage Company Limited. c. clvii.

Scottish Central Electric Power. c. ccxli.

Scottish Episcopal Clergy Widows' and Orphans' Fund Order Confirmation. c. cxlix.

Scottish Ontario and Manitoba Land Company Limited. c. ccvi.

Scunthorpe Urban District Water. c. xciii.

Seaforth and Sefton Junction Railway. c. cclviii.

Sheffield Corporation. c. cclv.

Sheffield and South Yorkshire Navigation. c. cv.

Sheepshed Urban District Council Gas. c. xl.

Shropshire and Worcestershire Electric Power. c. ccxxxvii.

Sittingbourne District Gas. c. xxiii.

Somerset and District Electric Power. c. ccxiv.

South Eastern and London Chatham and Dover Railways. c. ccv.

South Lancashire Tramways. c. clviii.

South Shields Corporation. c. ccxxii.

South Staffordshire Tramways. c. ccxxxi.

South Wales Mineral Railway. c. xxiv.

South Western and Isle of Wight Junction Railway. c. ccxliv.
South Yorkshire Joint Railways. c. ccliii.
Southampton Harbour. c. xci.
Staffordshire and Worcestershire Canal. c. xxxiii.
Stoke Newington Borough Council. c. vii.
Strabane Raphoe and Convoy Railway. c. cclx.
Stroud and District Tramways. c. ccxlix.
Sutton Coldfield Corporation. c. clxxii.
Sutton District Waterworks. c. xviii.
Taff Vale Railway. c. clxxi.
Torquay Corporation Water. c. cvi.
Tramways Orders Confirmation (No. 1). c. cxlv.
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Tynemouth and District Tramways. c. clxix.
Ulster and Connaught Light Railways. c. cclxii.
Walker and Wallsend Union Gas. c. clxiv.
Water Orders Confirmation. c. cxxxiv.
Watford and Edgware Railway. c. clxxxix.
Wellington (Salop) Gas. c. xxix.
West Bromwich Corporation. c. cciii.
West Cumberland Electric Tramways. c. cviii.
Western Trust Limited. c. i.
Western Valleys (Monmouthshire) Sewerage Board. c. ccxlviii.
Wick and Pulteney Harbours Order Confirmation. c. cliv.
Wigan Corporation Tramways. c. clxxvi.
Willesden Urban District Council. c. clxxxi.
Winchester Water and Gas. c. xxxi.
Wirral Railway. c. xxxv.
Wolverhampton and Cannock Chase Railway (Extension of Time). c. cii.
Wood Green Urban District Council. c. ccxxiv.
Woolwich Borough Council. c. clxxvii.
Worthing Corporation Tramways. c. clxxxv.

TABLE III.

Showing the Effect of the Year's Legislation.

ACTS OF FORMER SESSIONS (IN CHRONOLOGICAL ORDER) REPEALED OR AMENDED BY ACTS OF 3 EDW. 7.*

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 3 Edw. 7.
Parlt. of Scotland 9 Oct. 1696.	Declaring Greenlaw head burgh of Shire of Berwick.	Repealed	5, s. 2.
6 Geo. 4. c. 81	Excise Licences	S. 16 amended as to S.	25, s. 51.
9 Geo. 4. c. 58	Licensing (S.)	Repealed, but *see* 3 Edw. 7. c. 25. s. 8 (5).	25, s. 110, Sch. XII. (Pt. I.)
4 & 5 Will. 4. c. 76	Poor Law Amendment	S. 32 repealed in part	19, s. 3, Sch. II.
5 & 6 Will. 4. c. 39	Excise	S. 7 amended as to S.	25, s. 47.
1 & 2 Vict. c. 74	Small Tenements Recovery	Extended to houses under closing order, with mod.	39, s. 10.
7 & 8 Vict. c. 101	Poor Law Amendment	S. 46 repealed in part	19, s. 3, Sch. II.
8 & 9 Vict. c. 18	Lands Clauses Consolidation	Ss. 78, 79 applied with modifications.	37, s. 24 (11).
14 & 15 Vict. c. 92	Summary Jurisdiction (I.)	S. 23 applied with mod.	36, s. 19 (3).
16 & 17 Vict.:			
c. 27	Berwickshire Courts	Repealed	5, s. 2.
c. 67	Licensing (S.)	Repealed	25, s. 110, Sch. XII. (Pt. I.).
18 & 19 Vict.:			
c. 35	Income Tax (Insurance)	S. 1 repealed in part	46, ss. 10 (1), 17 (1), Sch.
c. 120	Metropolis Management	S. 190 am. as to housing loans.	39, s. 15.
20 & 21 Vict. c. 72	Police (S.)	S. 13 extended to Orkney and Shetland.	25, s. 70 (7).
21 & 22 Vict. c. 72	Landed Estates Court (I.)	Ss. 54, 55, 61 virtually repealed in certain cases.	37, s. 59.
22 & 23 Vict. c. 40	Royal Naval Reserve (Volunteer)	Applied with mods.; s. 1 rep. in part.	6, ss. 1 (2) (i.), 5.
24 & 25 Vict.:			
c. 21	Revenue (No. 1)	S. 3 amended as to S.	25, s. 44.
c. 109	Salmon Fishery	Amended; s. 31 am.	31, s. 1 (5), Sch.
25 & 26 Vict. c. 35	Public Houses Acts Amendment (S.)	Repealed	25, s. 110, Sch. XII. (Pt. I.).
26 & 27 Vict.:			
c. 10	Salmon Acts Amendment	Amended	31, Sch.
c. 65	Volunteer	Ss. 7, 25–30 applied; s. 24 applied with mod.	6, ss. 1 (2) (ii), 2 (3).
c. 87	Trustee Savings Bank	S, 26 repealed in part	46, ss. 16 (2), 17 (1), Sch.
28 & 29 Vict. c. 121	Salmon Fishery	Amended	31, Sch.
30 & 31 Vict.:			
c. 9	Patriotic Fund	Repealed	20, s. 4, Sch. II.
c. 134	Metropolitan Streets	S. 11 amended	17, s. 1.

* Acts continued annually by the Expiring Laws Continuance Act are not noticed in this Table.

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 3 Edw. 7.
31 & 32 Vict.:			
c. 45	Sea Fisheries - - -	Part III., s. 46 amended -	31, s. 1 (7), Sch.
c. 122	Poor Law Amendment - -	S. 12 repealed - -	19, s. 3, Sch. II.
32 & 33 Vict.:			
c. 14	Revenue - - -	S. 19 (3) amended - -	36, s. 13.
c. 31	Oyster and Mussel Fisheries Orders Confirmation.	Amended - -	31, Sch.
c. 63	Metropolitan Poor Amendment -	Ss. 1, 4 rep. in part; s. 1 ext.	19, ss. 1, 3, Sch. II.
c. 102	Metropolitan Board of Works (Loans).	S. 27 (4) am. as to housing loans.	39, s. 15.
33 & 34 Vict.:			
c. 2	Dissolved Boards of Management and Guardians.	S. 1 extended; ss. 4, 11 rep.; s. 7 rep. in part.	19, ss. 2 (2), 3, Sch. II.
c. 33	Salmon Acts Amendment - -	Amended - -	31, Sch.
c. 46	Landlord and Tenant (I.) -	S. 33 repealed in part -	37, s. 70.
c. 71	National Debt - - - -	Extended - -	37, s. 31.
c. 75	Elementary Education - -	Ss. 37–39, 58, Sch. V. rep.; s. 3, Sch. II. rep. in part.	24, s. 5 (2), Sch. II.
34 & 35 Vict.:			
c. 17	Bank Holidays - - -	S. 1. Sch. ext. as to Ireland	1, s. 1.
c. 22	Lunacy Regulation (I.) - -	S. 63 applied - - -	37, s. 26.
35 & 36 Vict. c. 91	Borough Funds - - -	Amended; ss. 4–7, 11 rep. in part.	14, ss. 1, 7 (1), 8, 10 Sch. II.
36 & 37 Vict.:			
c. 71	Salmon Fishery - - -	Amended - -	31, Sch.
c. 86	Elementary Education - -	S. 16 repealed - -	24, s. 5 (2), Sch. II.
37 & 38 Vict. c. 40	Board of Trade Arbitrations, &c.	Applied - - -	30, s. 3 (2).
38 & 39 Vict.:			
c. 13	Holidays Extension - - -	S. 1, Sch. ext. as to Ireland	1, s. 1.
c. 15	Sea Fisheries - - -	Amended - -	31, Sch.
c. 45	Sinking Fund - - - -	S. 1 amended - -	8, s. 6 (1).
c. 55	Public Health - - -	S. 234 am. as to housing loans.	39, s. 1 (1).
39 & 40 Vict.:			
c. 19	Salmon Fishery - - -	Amended - - -	31, Sch.
c. 26	Publicans' Certificates (S.) -	Repealed - -	25. s. 110, Sch. XII. (Pt. I.).
c. 34	Elver Fishing - - -	Amended - - -	31, Sch.
c. 35	Customs Tariffs - - -	Applied - - -	35, s. 1 (2).
		Sch. repealed in part -	46, s. 17 (1), Sch.
c. 36	Customs Consolidation - -	S. 42 ext. in certain cases	21, s. 1 (2).
		S. 98 ext.; s. 104 am. as to coal.	46, ss. 3, 6.
c. 61	Divided Parishes and Poor Law Amendment.	S. 8 repealed in part -	19, s. 3, Sch. II.
40 & 41 Vict.:			
c. 2	Treasury Bills - - - -	S. 6 restricted - -	3, s. 3 (2).
c. 3	Publican's Certificate. (S.) Act (1876) Amendment.	Repealed - - -	25, s. 110, Sch. XII. (Pt. I.).
c. 42	Fisheries (Oyster, Crab, and Lobster).	Amended - -	31, Sch.
c. 59	Colonial Stock - - -	S. 19 restricted - -	27, s. 1 (3).
c. 65	Fisheries (Dynamite) - -	Amended - -	31, Sch.
41 & 42 Vict.:			
c. 39	Freshwater Fisheries - -	Amended - - -	31, Sch.
c. 78	Education (S.) - - - -	S. 7 amended - -	45, s. 14 (5).
42 & 43 Vict. c. 26	Salmon Fishery Law Amendment.	Amended - - -	31, Sch.
43 & 44 Vict.:			
c. 20	Inland Revenue - - -	S. 44 repealed, so far as applicable to Scotland.	25 s. 110, Sch. XII. (Pt. I.).
c. 24	Spirits - - - - -	S. 49 amended - -	46, s. 4 (1).

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 3 Edw. 7.
44 & 45 Vict.:			
c. 12	Customs and Inland Revenue -	Ss. 18, 35 amended -	46, ss. 4 (2), 14.
c. 46	Patriotic Fund - - -	Repealed - - -	20, s. 4, Sch. II.
c. 49	Land Law (I.) - - - -	S. 5 (6) extended; s. 30 (2) (3) applied; ss. 44, 47, 50 (3) amended; ss. 26, 29, 34, 44, 47 repealed in part; s. 27 repealed.	37, ss. 54 (5), 70, 83, 88 (2), 92, 103, Sch.
c. 58	Army - - - - -	S. 174 repealed, so far as applicable to Scotland.	25, s. 110, Sch. XII. (Pt. I.).
45 & 46 Vict:			
c. 50	Municipal Corporations - -	S. 233 (1) ext. in certain cases.	24, Sch. I. (7).
c. 58	Divided Parishes and Poor Law Amendment.	Ss. 9–11 repealed - -	19, s. 3, Sch. II.
c. 73	Ancient Monuments Protection -	Ss. 2, 6, 7 ext. as to I. -	37, s. 14 (2).
46 & 47 Vict.:			
c. 10	Customs and Inland Revenue -	S. 10 applied - -	8, s. 5 (3).
c. 58	Post Office (Money Orders) -	S. 2 amended - -	12, s. 1.
c. 60	(Labourers (I.) - -	S. 5 amended - -	37, ss. 96 (2), 97.
47 & 48 Vict.:			
c. 11	Freshwater Fisheries - -	Amended - - -	31, Sch.
c. 27	Sea Fisheries - - -	Amended - -	31, Sch.
48 & 49 Vict.:			
c. 38	School Boards -	S. 2 repealed - -	24 s. 5 (2), Sch. II.
c. 70	Sea Fisheries (S.) Amendment)	S. 6 amended - -	31, s. 1 (6).
c. 73	Purchase of Land (I.) - -	S. 5 repealed in part; s. 7 repealed.	37 s. 103, Sch.
49 & 50 Vict.:			
c. 2	Freshwater Fisheries - -	Amended - -	31, Sch.
c. 30	Patriotic Fund - -	Repealed - - -	20, s. 4, Sch. II.
c. 39	Salmon and Freshwater Fisheries	Amended - - -	31, Sch.
c. 59	Labourers (I.) - - -	S. 4 amended - - -	37, s. 93.
50 & 51 Vict.:			
c. 16	National Debt and Local Loans	S. 2 (3) (*b*) amended -	8, s. 6 (2).
c. 33	Land Law (I.) - - -	S. 16 (3) amended; s. 16 repealed in part.	37, ss. 64, 103, Sch.
c. 38	Public Houses Hours of Closing (S.).	Repealed - -	25, s. 110, Sch. XII. (Pt. I.).
c. 58	Coal Mines Regulation - -	S. 23 (1) amended -	7, s. 1.
51 & 52 Vict.:			
c. 15	National Debt (unpplemental) -	S. 1 amended - -	46, s. 15.
c. 41	Local Government - -	S. 10 amended - -	15, s. 1 (1).
		S. 15 ext. to promoting Bills; s. 15 (*b*) rep., s. 87 (1) (5) applied.	9, s. 1 (1) (3) (5).
		S. 62 applied with mods.	19, s. 2 (1).
		S. 87 (1) (5) applied -	36, s. 14; 39, Sch. (8).
c. 43	County Courts - - -	Ss. 45, 56–60, 81, 96, 102, 116, 138, 139 am.; s. 164 ext.	42, ss. 3, 4, 6, 7.
		Ss. 138–145 ext. to houses under closing order with mod.	39, s. 10.
c. 49	Purchase of Land (I.) - -	S. 2 am. in certain cases	37, s. 1 (4).
c. 54	Sea Fisheries Regulation -	Amended - -	31, Sch.
52 & 53 Vict. c. 30	Board of Agriculture - -	Amended; ss. 2, 4, am.; s. 5 ext.; ss. 9, 11, applied with mods.	31, ss. 1 (3) (4) (5) (9), 2.
		S. 11 applied with mods. -	39, s. 2 (2).

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 3 Edw. 7.
52 & 53 Vict. c. 50	Local Government (S.)	S. 8 am.; ss. 60 (4), 66 applied.	25, ss. 5 (1), 8 (6).
		S. 8 amended	45, s. 14 (4).
		S. 50 applied with mods.; ss. 56, 66 ext. (but in all cases *see* 3 Edw. 7. c. 33, s. 98).	33, ss. 55, 60, 96, 97.
		S. 56 ext. to promoting Bills by county councils; s. 56 (*b*) virt. rep. in part.	9, s. 2.
		S. 93 (1) (3) applied	34, s. 7; 36, s. 18 (4).
53 & 54 Vict.:			
c. 8	Customs and Inland Revenue	S. 26 (2) rep., except as applied for purposes of 3 Edw. 7. c. 46.	46, ss. 11, (2), 17 (1) Sch.
c. 70	Housing of the Working Classes	Ss. 7 (*a*) (*b*), 8, 16 (1), 25 (5), 34, 39, 46 (2) (5) (6), 49, 75, 87 am.; s. 32 in part, Sch. IV. virt. rep. prosp.; Part. II. ext. to neighbouring lands with mod. of s. 41 (2) (*a*).	39, ss. 1 (1), 4, 5, 7-9, 12-14.
54 & 55 Vict.:			
c. 12	Railway and Canal Traffic (Provisional Orders) Amendment.	S. 1 amended	14, s. 7 (2).
c. 25	Customs and Inland Revenue	S. 4 repealed	46, s. 17 (1), Sch.
c. 37	Fisheries	Parts II.-IV. amended	31, Sch.
c. 39	Stamp	Ss. 94, 112 am.; Sch. I. am. and rep. in part.	46, ss. 5-9, 17 (1), Sch.
c. 48	Purchase of Land (I.)	Ss. 9 (1), 34 (1) amended; ss. 3, 36 (3-6) repealed; s. 34 (1) repealed in part.	ss. 37, 40 (3), 84, 103, Sch.
c. 66	Local Registration of Title (I.)	Restricted; s. 23 (2) extended.	37, ss. 3 (6), 69 (3).
c. 71	Labourers (I.)	S. 3 repealed	37, s. 103. Sch.
55 & 56 Vict.:			
c. 43	Military Lands	Ss. 10, 11 extended	47, s. 1 (3).
c. 50	Salmon and Freshwater Fisheries	Amended	31, Sch.
c. 55	Burgh Police (S.)	Ss. 4, 11, 12, 15, 110, 117, 135, 137, 141, 142, 154, 166, 187, 241-246, 254, 255, 275, 280, 284, 296, 307, 339, 360, 374, 381 am.; ss. 4 (3), 56, 128, 133, 134, 136, 138, 146-148, 152, 153, 168-170, 238, 239, 279, 376, 381 (53), 399, 429 rep.; ss. 4 (7) (8), 14, 55, 58, 77 (3), 105, 129, 149, 150, 164, 200, 278, 281, 282, 285, 315, 316, 365, Sch. IV. am. and rep. in part; s. 158 ext. to new buildings; ss. 317, 318, 339 applied; (but in all cases *see* 3 Edw. 7, c. 33, s. 98).	33, ss. 17 (1) (5), 24, 27, 29, 46, 47, 59, 61, 63, 79, 80, 93, 103 (1-7), 104,
		Ss. 380 (11), 381 (24), 515 repealed.	25, s. 110, Sch. XII.
		S. 276 repealed	45, s. 14 (8).

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 3 Edw. 7.
57 & 58 Vict.:			
c. 19	Merchandise Marks (Prosecutions).	Ext. to fishery produce -	31, s. 1 (8).
c. 26	Sea Fisheries (Shell Fish) Regulation.	Amended - -	31, Sch.
c. 41	Prevention of Cruelty to Children	Ss. 3, 22 am.; ss. 7, 8 applied with mods.	45, ss. 4 (6), 5 (4), 11.
c. 57	Diseases of Animals - -	S. 22 amended - -	43, s. 1.
c. 58	Local Government (S.) - -	Am. prospectively as to certain fishing burghs.	34, s. 7.
		S. 19 (7) am. - -	33, s. 94.
58 & 59 Vict. c. 35	Naval Works - - -	S. 5 applied with mods. -	22, s. 1 (1).
59 & 60 Vict.:			
c. 6	Naval Works - - -	Ss. 3, 5 applied - -	22, s. 1 (1).
c. 18	Fisheries (Norfolk and Suffolk)	Amended - - -	31 Sch.
c. 36	Locomotives on Highways -	Amended; s. 6 am. and applied; s. 4 rep.	36, ss. 7, (1), 8, 9, 12, 20 (1).
c. 47	Land Law (I.) - - -	Ss. 38 (3), 40 (1) (*a*) am.; s. 35 applied with mods; s. 5 (3) explained; s. 29 (2) ext.; s. 29 (3) rep.; s. 43 (1–5) rep. (but *see* terms); s. 40 restricted.	37, ss. 7 (6), 18 (3), 57 (1) (2) (5), 58, 67 (1), 68, 91, 103, Sch.
c. 48	Light Railways - - -	S. 5 (1) am. as to fishing industry.	31, Schs.
60 & 61 Vict.:			
c. 7	Military Works - - -	Applied with mods. -	29. s. 1 (1)(2)(4).
c. 38	Public Health (S.) - -	S. 136 ext. (but *see* 3 Edw. 7. c. 33, s. 98).	33, s. 90.
c. 50	Licensing Amendment (S.) -	Repealed - - -	25, s. 110, Sch. XII. (Pt. I.)
61 & 62 Vict.:			
c. 5	Public Buildings Expenses -	S. 2 applied - -	41, s. 1 (4).
c. 36	Criminal Evidence - -	Ss. 1-4 ext. to I. in case of motor-car offences.	36, s. 19 (4).
c. 37	Local Government (I.) - -	S. 19 (2) applied; ss. 48 50 amended.	37, ss. 14 (3), 40 (1).
c. 60	Inebriates - - - -	S. 24 am.; Sch. I. am. as to S.	25 ss. 70 (3), 71, 75 (2).
62 & 63 Vict.:			
c. 9	Finance - - - -	S. 16 repealed - -	8, s. 7 (1), Sch. II.
c. 18	Congested Districts Board (I.) -	S. 3 repealed (save as regards agreements made before 3 Edw. 7, c. 37).	37, s. 103, Sch.
c. 32	Elementary Education (Defective and Epileptic Children).	S. 2 (6) virt. rep. - -	13, s. 1 (1).
c. 41	Military Works - - -	Applied with mods. -	29, s. 1 (1) (4).
c. 45	Patriotic Fund - -	Repealed - -	20, s. 4, Sch. II.
c. 47	Private Legislation (S.) - -	S. 11 (1) amended - -	9, s. 2.
c. 50	Agriculture and Technical Instruction (I.).	S. 15 (*b*) amended; s. 18 repealed.	37, ss. 40 (2), 85.
63 & 64 Vict.:			
c. 2	War Loan - - -	S. 3 repealed in part -	8, s. 7 (1), Sch. II.
c. 7	Finance - - - - -	Ss. 2–7 am. and continued	8, ss. 3, 4.
c. 28	Inebriates Amendment (S.) -	S. 2 repealed - - -	25, s. 110, Sch. XII. (Pt. I.).

Statute and Chapter.	Subject-matter or Short Title.	How affected.	Chapter of 3 Edw. 7.
63 & 64 Vict.:			
c. 31	Isle of Man (Customs) - -	Ss. 1, 2 (2) continued -	35, s. 3.
c. 49	Town Councils (S.) - -	Amended; ss. 13, 23, 42, Sch. III. a.m.; s. 47 rep.; s. 78 am. and rep. in part; ss. 91–99 applied (but *see* terms).	34, ss. 2–8.
c. 52	Naval Reserve - - -	S. 1 repealed in part -	6, s. 5.
c. 56	Military Lands - - -	S. 1 applied - - -	47, s. 1 (2).
c. 58	Tithe Rentcharge (I.) - -	Ss. 2, 3 applied with mod.	37, s. 90.
1 Edw. 7:			
c. 3	Purchase of Land (I.) - -	S. 1 (1) amended; s. 1 (2) (3) repealed.	37, ss. 40 (4), 103, Sch.
c. 7	Finance - - - -	S. 2 restricted; s. 9 ext. -	46, ss. 1 (1), 2.
		S. 7 applied - - -	35, s. 1 (2).
c. 27	Intoxicating Liquors (Sale to Children).	Repealed, so far as applicable to Scotland.	25, s. 110, Sch. XII. (Pt. I.).
c. 34	Congested Districts Board (I.) -	Ss. 1, 2 amended - -	37, ss. 12 (2), 82.
c. 40	Military Works - - -	Applied with mods. -	29, s. 1 (1) (4).
2 Edw. 7.:			
c. 7	Finance - - - -	Ss. 1, 6, Schs. I., II. rep.	8, ss. 1, 7 (1), Sch. II.
c. 42	Education - - -	Ext. to London with mods.	24, s. 1.
		S. 19 am. - - -	10, s. 1.

TABLE IV.

A LIST

OF

THE LOCAL AND PRIVATE ACTS,

(3 Edw. 7. 1903,)

ARRANGED IN CLASSES

Class I.—Bridges, Ferries, Roads, Subways and Tunnels.
- (1.) Bridges.
- (2.) Ferries.
- (3.) Roads.
- (4.) Subways and Tunnels.

" II.—Railways, Tramroads and Tramways.
- (1.) Railways.
- (2.) Tramroads and Tramways.
- (3.) Light Railways.

" III.—Canals, Rivers and Navigations.

" IV.—Harbours, Docks, Ports, Piers and Quays.

" V.—Local Government (including Judicial Matters, Poor Law and Public Health).

" VI.—Lighting, Power and Heating.
- (1.) Gas.
- (2.) Electricity.

" VII.—Water Supply.

" VIII.—Drainages and Drainage Embankments.

" IX.—Inclosures, Open Spaces, &c.
- (1.) Inclosures and Allotments.
- (2.) Open Spaces, Commons and Parks.

" X.—Fisheries.

XI.—Charitable and Educational, &c., Foundations and Institutions.

" XII.—Ecclesiastical Affairs (including Tithes and Marriage Confirmation).

CLASS XIII.—PERSONAL AND PRIVATE (INCLUDING ESTATES).

(1.) Annuities and Grants of Money.
(2.) Divorce.
(3.) Estates.
(4.) Names, Change of.
(5.) Naturalization.
(6.) Patents.
(7.) Restoration of Dignities.
(8.) Miscellaneous.

„ XIV.—TRADING AND OTHER COMPANIES.

(1.) Banking and Investment.
(2.) Cemetery.
(3.) Insurance.
(4.) Land and Building.
(5.) Miscellaneous.

„ XV.—CROWN.

„ XVI.—PROVISIONAL ORDERS CONFIRMATION.

NOTE.—In this Table, words, printed in *italics*, following the Title, are added to explain the principal purposes of the Act; where none are added, and the Title itself conveys no explanation, the Act may be considered as one giving General Powers.

Class I.—Bridges, Ferries, Roads, Subways and Tunnels.

(1.) *Bridges:*
Kingston-upon-Hull Corporation (*Construction of bridge*). c. ccxlvi.

[*See also* Class XVI. (14.)]

(2.) *Ferries:*

Nil.

(3.) *Roads:*

Nil.

(4.) *Subways and Tunnels:*

Nil.

Class II.—Railways, Tramroads and Tramways.

(1.) *Railways:*
Baker Street and Waterloo. c. clxii.
Baker Street and Waterloo (*Extension of time*). c. ccxvi.
Barry. c. clxxxiii.
Bristol Corporation (*Construction of dock railways.*). c. ccxi.
Cardiff. c. cxvii.
Castleblayney, Keady and Armagh (*Extension of time*). c. cxciv.
Charing Cross, Euston and Hampstead. c. ci.
Cheshire Lines. c. cxi.
City and South London. c. clxxiii.
Didcot Newbury and Southampton. c. clix.
Dublin Wicklow and Wexford c. ccviii.
Exeter. c. xv.

Class II.—Railways, Tramroads and Tramways—*continued.*

(1.) *Railways*—continued.

Fishguard and Rosslare Railways and Harbours. c. cix.
Great Central. c. ccli.
Great Eastern. c. xliii.
Great Northern. c. cxxv.
Great Northern and City. c. v.
Great Northern Piccadilly and Brompton (Various Powers). c. clxxxvi.
Great Southern and Western. c. clx.
Great Western. c. cxcvi.
Great Western (Pension Fund). c. ii.
Grindleford Baslow and Bakewell. c. cxix.
Hastings Harbour District. c. ccxl.
Highland and Invergarry and Fort Augustus Railway Companies. c. cxii.
Knott End (Extension of time). c. xxx.
Lanarkshire and Dumbartonshire. c. xcv.
Lancashire and Yorkshire and London and North Western (Steam Vessels). c. cxcvii.
Lima Railways Company Limited. c. xiv.
London Brighton and South Coast. c. cxx.
London and North Western. c. ciii.
London Tilbury and Southend. c. clxxxviii.
Maryport Harbour (*Construction of railways*). c. ccxii.
Metropolitan District. c. cxxvi.
Midland. c. xxxii.
Midland (Belfast and Northern Counties Railway Purchase). c. cxxvii.
Midland Great Western of Ireland. c. clxiii.
Mullingar Kells and Drogheda (*Incorporation of Company*). c. ccxx.
Neath Pontardawe and Brynaman. c. cxcviii.
North Eastern. c. ccliv.
Port Talbot Railway and Docks. c. cxiii.
Seaforth and Sefton Junction (*Incorporation of Company*). c. cclviii.
South Eastern and London Chatham and Dover. c. ccv.
South Wales Mineral. c. xxiv.
South Western and Isle of Wight Junction. c. ccxliv.
South Yorkshire Joint. c. ccliii.
Strabane Raphoe and Convoy (*Incorporation of Company*). c. cclx.
Taff Vale. c. clxxi.
Watford and Edgware. c. clxxxix.
Wirral. c. xxxv.
Wolverhampton and Cannock Chase (Extension of time). c. cii.

[*For Acts confirming Provisional Orders under Private Legislation Procedure* (*Scotland*) *Act*, 1899, *see* Class XVI. (14).]

(2.) *Tramroads and Tramways:*

Beckenham Urban District Council. c. ccxvii.
Birmingham Corporation. c. cxcii.
Birmingham District Tramways. c. ccxv.
Bournemouth Corporation Tramways. c. clxxviii.
Bradford Corporation. c. ccxxxiii.

Class II.—Railways, Tramroads and Tramways—*continued.*

(2.) *Tramroads and Tramways*—continued.

Brighton Corporation. c. ccxxv.
Chatham and District Light Railways Company (*Construction of tramways and tramroads*). c. clxxx.
Christchurch and Bournemouth Tramways (*Extension of time*). c. clxviii.
Coventry Electric Tramways. c. cclix.
Croydon and District Electric Tramways (Extensions). c. cclxi.
Dewsbury Batley and Birstal Tramways. c. clxxxiv.
Dudley Stourbridge and District Tramways (*Power to work by mechanical power*). c. clxvii.
Erith Tramways and Improvement. c. ccl.
Exeter Corporation. c. clxxxii.
Gosport and Fareham Tramways. c. cxcv.
Harrow Road and Paddington Tramways (*Power to work by mechanical power and lease undertaking to Metropolitan Electric Tramways Limited*). c. cxc.
Hastings Tramways (Extensions). c. xcviii.
Hove Worthing and District Tramways. c. cciv.
Kingston-upon-Hull Corporation. c. ccxlvi.
Leigh Corporation. c. cxxiv.
London County Council (Tramways and Improvements). c. ccxix.
London United Tramways. c. cxci.
Manchester Corporation. c. ccxiii.
Manchester Southern Tramways (*Incorporation of Company*). c. cxciii.
Mid-Yorkshire Tramways (*Incorporation of Company*). c. ccxlii.
Nottinghamshire and Derbyshire Tramways (*Incorporation of Company*). c. ccii.
Pontypridd Urban District Council. c. cxv.
Preston Chorley and Horwich (*Incorporation of Company*). c. ccxxxv.
Rochester Corporation Tramways and Improvements. c. cc.
Romford and District Tramways. c. clxxv.
Salford Corporation. c. ccxxxvi.
South Lancashire Tramways. c. clviii.
South Shields Corporation. c. ccxxii.
South Staffordshire Tramways. c. ccxxxi.
Stroud and District Tramways (*Incorporation of Company*). c. ccxlix.
Tynemouth and District Tramways (*Power to work by mechanical power*). c. clxix.
West Cumberland Electric Tramways (*Extension of time*). c. cviii.
Wigan Corporation Tramways. c. clxxvi.
Worthing Corporation (Tramways). c. clxxxv.

[*For Acts confirming Provisional Orders under Private Legislation Procedure (Scotland) Act*, 1899, *and Tramways Act*, 1870, *see* Class XVI. (14), (15).]

(3.) *Light Railways:*

Chatham and District. c. clxxx.
Ulster and Connaught. c. cclxii.

[*See also* Class XVI. (14).]

Class III.—Canals, Rivers and Navigations.

Sheffield and South Yorkshire Navigation. c. cv.
Staffordshire and Worcestershire Canal. c. xxxiii.

[*For Act confirming Provisional Order under Private Legislation Procedure (Scotland) Act*, 1899, *see* Class XVI. (14).]

Class IV.—Harbours, Docks, Ports, Piers and Quays.

Bristol Corporation (*Additional dock works*). c. ccxi.
Cork Harbour. c. cclvi.
Fishguard and Rosslare Railways and Harbours. c. cix.
Frinton-on-Sea Sea Defences. c. cxvi.
Hastings Harbour. c. ccxxxix.
Maryport Harbour. (*Incorporation of and transfer of undertaking to Company, &c.*). ccxii.
Mersey Docks and Harbour Board. c. cxxi.
Milford Docks. c. xxvii.
Port Talbot Railway and Docks. c. cxiii.
South Western and Isle of Wight Junction Railway (*Construction of pier*). c. ccxliv.
Southampton Harbour. c. xci.

[*For Acts confirming Provisional Orders under General Pier and Harbour Act*, 1861, *and Private Legislation Procedure (Scotland) Act*, 1899, *see* Class XVI. (5), (14).]

Class V.—Local Government (including Judicial Matters, Poor Law and Public Health).

Alexandra Park and Palace. c. clxxix.
All Saints Poplar Rate Abolition. c. xvi.
Aston Manor Improvement. c. cxviii.
Bangor Corporation. c. ccxliii.
Bath Corporation Water. c. ccvii.
Beckenham Urban District Council. c. ccxvii.
Belfast Water. c. xxxix.
Birmingham Corporation. c. cxcii.
Bournemouth Corporation Tramways. c. clxxviii.
Bradford Corporation. c. ccxxxiii.
Brighton Corporation. c. ccxxv.
Bristol Corporation. c. cxi.
Bury and District Joint Water Board. c. ccxxxiv.
Chard Corporation Gas (*Transfer of undertaking of Company &c.*). c. cxcix.
Dover Corporation. c. ccxlvii.
East Ham Improvement. c. ccxxiii.
Ebbw Vale Improvement. c. ccxlv.
Erith Tramways and Improvement. c. ccl.
Exeter Corporation. c. clxxxii.
Frinton-on-Sea Sea Defences. (*Power to District Council to construct*). c. cxvi.

Class V.—Local Government (including Judicial Matters, Poor Law and Public Health)—*continued.*

Gateshead Corporation. c. cclii.
Hainault (Lambourne Fox Burrows and Grange Hill). c. cclvii.
Harrogate Water (*Transfer of Knaresborough Waterworks to Corporation of Harrogate, &c.*). c. xxxvii.
Hyde Corporation. c. cxxiii.
Iveagh Trust (*Dublin Improvement*). c. iii.
Kingston-upon-Hull Corporation. c. ccxlvi.
Leigh Corporation. c. cxxiv.
London County Council (General Powers). c. clxxxvii.
London County Council (Money). c. ccxviii.
London County Council (Tramways and Improvements). c. ccxix.
Manchester Corporation. c. ccxiii.
Merthyr Tydfil Urban District Council. c. cxiv.
Middlesbrough Corporation. c. clxx.
Nantwich Urban District Council. c. civ.
Nelson Corporation (*Water*). c. cvii.
New Hunstanton Improvement. c. xcvi.
Pontypridd Urban District Council. c. cxv.
Rochester Corporation Tramways and Improvement. c. cc.
Salford Corporation. c. ccxxxvi.
Scunthorpe Urban District Water (*Substituted Works*). c. xciii.
Sheffield Corporation. c. cclv.
Shepshed Urban District Council Gas ((*Transfer of undertaking of Sheepshed Gas Company, &c.*). c. xl.
South Shields Corporation. c. ccxxii.
Stoke Newington Borough Council. c. vii.
Sutton Coldfield Corporation. c. clxxii.
Torquay Corporation (Water). c. cvi.
West Bromwich Corporation. c. cciii.
Western Valleys (Monmouthshire) Sewerage Board (*Incorporation*). c. ccxlviii.
Wigan Corporation Tramways. c. clxxvi.
Willesden Urban District Council. c. clxxxi.
Wood Green Urban District Council. c. ccxxiv.
Woolwich Borough Council. c. clxxvii.
Worthing Corporation (Tramways). c. clxxxv.

[*For Acts confirming Provisional Orders under Acts relating to subjects embraced in this Class, see* Class XVI.]

Class VI.—Lighting, Power and Heating.

(1.) *Gas:*

Bournemouth Gas and Water. c. ccix.
Bradford Corporation. c. ccxxxiii.
Bridgwater. c. xix.
British Gas Light Company, Limited (Norwich). c. xcvii.
Broadstairs. c. cxxii.
Burgess Hill and St. John's Common. c. xxi.
Chard Corporation (*Transfer of undertaking of Company &c.*). c. cxcix.
Commercial (*Testing*). c. xlii.

Class VI.—Lighting, &c.—*continued.*

(1.) *Gas*—continued.

Derby. c. clxvi.
East Ardsley. c. xx.
Faversham. c. x.
Gas Light and Coke Company. c. xli.
Gorleston and Southtown. c. xxxviii.
Hampton Court. c. c.
Harrow and Stanmore. c. xxxiv.
Hexham. c. cx.
Ipswich. c. xciv.
Maidstone. c. vi.
Market Drayton. c. xxviii.
Nantwich Urban District Council (*Transfer of undertaking of Company, &c.*). c. civ.
New Hunstanton Improvement. c. xcvi.
North Middlesex. c. viii.
North Western Electricity and Power-Gas. (*Incorporation of Company*). c. ccxxxviii.
Plymouth and Stonehouse. c. ix.
Pontypridd Urban District Council. c. cxv.
Rickmansworth. c. xxvii.
Scarborough. c. xxii.
Shepshed Urban District Council. (*Transfer of undertaking Sheepshed Gas Co., &c.*). c. xl.
Sittingbourne District. c. xxiii.
Walker and Wallsend Union. c. clxiv.
Wellington (Salop). c. xxix.
Winchester Water and Gas. c. xxxi.

[*For Acts confirming Provisional Orders relating to Gas Undertakings, see* Class XVI. (4), (8), (10), (14).]

(2.) *Electricity:*

Aston Manor Improvement. c. cxviii.
Beckenham Urban District Council. c. ccxvii.
Blackheath and Greenwich District Electric Light Company's (*Transfer of undertakings of Lewisham and District Electric Supply Company Limited, &c.*). c. clxv.
Bournemouth Corporation Tramways (*Transfer of undertaking of Poole and District Electric Traction Company, Limited*). c. clxxviii.
Carmarthenshire Electric Power Company (*Incorporation*). c. ccx.
Cleveland and Durham County Electric Power. c. xxv.
Dover Corporation (*Purchase of undertaking of Dover Electric Supply Company Limited*). c. ccxlvii.
Ebbw Vale Improvement. c. ccxlv.
Erith Tramways and Improvement. c. ccl.
Fife Electric Power (*Incorporation of Company*). c. ccxxi.
Nantwich Urban District Council. c. civ.
Newcastle-upon-Tyne Electric Supply Company's. (*Transfer of electricity undertaking of Walker and Wallsend Union Gas Company*). c. clxxiv.

Class VI.—Lighting, &c.—*continued.*

(2.) *Electricity*—continued.

North Metropolitan Electric Power Supply (*Purchase of generating station of Willesden Urban Council*). c. cclxiii.
North Western Electricity and Power Gas. (*Incorporation of Company*). c. ccxxxviii.
Pontypridd Urban District Council. c. cxv.
Salford Corporation *Transfer of certain powers of electric lighting*). c. ccxxxvi.
Scottish Central Electric Power (*Incorporation of Company*). c. ccxli.
Sheffield Corporation. c. cclv.
Shropshire and Worcestershire Electric Power (*Incorporation of Company*). c. ccxxxvii.
Somerset and District Electric Power (*Incorporation of Company*). c. ccxiv.
Stoke Newington Borough Council (*As to supply of electricity in bulk*). c. vii.
Sutton Coldfield Corporation. c. clxxii.
West Cumberland Electric Tramways (*Extension of area for supply of electricity*). c. cviii.
Willesden Urban District Council. c. clxxxi.
Wood Green Urban District Council. c. ccxxiv.
Woolwich Borough Council (*Power to supply electrical energy in bulk to Urban Council of Foots Cray*). c. clxxvii.

[*For Acts confirming Provisional Orders relating to Electric Lighting Undertakings, see* Class XVI. (3, (14).]

Class VII.—Water Supply.

Bath Corporation. c. ccvii.
Belfast. c. xxxix.
Bournemouth Gas and Water. c. ccix.
Bradford Corporation. c. ccxxxiii.
Bury and District Joint Water Board. c. ccxxxiv.
Harrogate (*Transfer of Knaresborough Waterworks to Corporation of Harrogate &c.*). c. xxxvii.
Leigh Corporation. c. cxxiv.
London Hydraulic Power Company's. c. xvii.
Merthyr Tydfil Urban District Council. c. cxiv.
Nelson Corporation. c. cvii.
New Hunstanton Improvement. c. xci.
Scunthorpe Urban District (*Substituted Works*). c. xciii.
Sheffield Corporation. c. cclv.
Sutton District. c. xviii.
Torquay Corporation. c. cvi.
Winchester Water and Gas. c. xxxi.

[*For Acts confirming Provisional Orders relating to Water Undertakings, see* Class XVI. (4), (9 (*c*)), (14).]

Class VIII.—Drainages and Drainage Embankments.

Nil.

[*For Acts confirming Provisional Orders under Drainage and Improvement of Lands (Ireland) Acts, and Land Drainage Act,* 1861, *see* Class XVI. (1), (7).]

Class IX.—Inclosures, Open Spaces, &c.

(1.) *Inclosures and Allotments :*

Nil.

(2.) *Open Spaces, Commons and Parks :*

Alexandra Park and Palace. c. clxxix.
Bangor Corporation. c. ccxliii.
Hainault (Lambourne Fox Burrows and Grange Hill). c. cclvii.
London County Council (General Powers). c. clxxxvii.
Willesden Urban District Council. c. clxxxi.

[*See also* Class XVI. (14).]

Class X.—Fisheries.

Nil.

Class XI.—Charitable and Educational, &c., Foundations and Institutions.

Addenbrooke's Hospital Scheme Confirmation. c. clv.
Bangor Corporation (*Gift of new site for Bangor College*). c. ccxliii.
Iveagh Trust. c. iii.
Jewish Colonization Association. c. xcix.
King's College London (*Amendment of Act of* 1882). c. xcii.
Liverpool University. c. ccxxxii.

(*For Acts confirming Provisional Orders under Education Acts,* 1870-1892, *and Private Legislation Procedure (Scotland) Act,* 1899, *see* Class XVI. (14).]

Class XII.—Ecclesiastical Affairs (including Tithes and Marriage Confirmation).

All Saints Poplar Rate Abolition. c. xvi.
St. Philip (Regent Street) Chapel (*Sale, &c.*). c. clxi.

[*For Act legalizing Marriages in certain Churches and Places, see Public Index* "Marriages Legalization." *See also* Class XVI. (14).].

Class XIII.—Personal and Private (including Estates).

(1.) *Annuities and Grants of Money :*

Nil.

(2.) *Divorce :*

Nil.

(3.) *Estates :*

Lochnell. c. i.
Pentillie. c. ii.

(4.) *Names, change of :*

Nil.

(5.) *Naturalization :*

Nil.

(6.) *Patents :*

Kip's (*Improvements in stop-motions for looms &c.*). c. cci.

(7.) *Restoration of Dignities :*

Nil.

(8.) *Miscellaneous :*

Nil.

Class XIV.—Trading and other Companies.

(1.) *Banking and Investment :*

Queensland Investment and Land Mortgage Company. c. iv.
Western Trust Limited. c. i.
Scottish American Mortgage Company Limited. c. clvii.

(2.) *Cemetery :*

Nil.

(3.) *Insurance :*

Life Association of Scotland. c. xii.
Pelican and British Empire Life Office. c. xiii.

(4.) *Land and Building :*

Queensland Investment and Land Mortgage Company's. c. iv.
Scottish Ontario and Manitoba Land Company Limited. c. ccvi.

(5.) *Miscellaneous :*

India Rubber Gutta Percha and Telegraph Works Company (Limited). c. xxvi.
Lima Railways Company Limited. c. xiv.
London Hydraulic Power Company's. c. xvii.
North's Navigation Collieries (1889) Limited. c. xi.

Class XV.—Crown.

Patent Office (Extension). c. ccxxx.
Post Office (Sites). c. clvi.

[*For Acts confirming Provisional Orders under Military Lands Act*, 1892, *and Naval Works Act*, 1895, *see* Class XVI. (12), 13). *See also Public Index* "Public Offices Sites (Dublin)."]

Class XVI.—Provisional Orders Confirmation.

(1.) *Under Drainage and Improvement of Lands (Ireland) Acts:*
Order of Public Works Commissioners. c. cxxxviii. (*Pallas River*).

(2.) *Under Education Acts*, 1870–1902:
Orders of Board of Education. c. lxxxv. (East Ham, &c.); c. l. (London).

(3.) *Under Electric Lighting Acts:*
Orders of Board of Trade. c. xlv. (No. 1); c. xlvi. (No. 2); c. xlvii. (No. 3); c. xlviii. (No. 4); c. xlix. (No. 6); c. lxxxviii. (No. 5); c. lxxxix. (No. 7).

(4.) *Under Gas and Water Works Facilities Act*, 1870:
Orders of Board of Trade. c. cxxxii. (Gas (No. 1)); c. cxxxiii. (Gas (No. 2)); c. cxxxiv. (Water); c. cli. (Gas and Water).

(5.) *Under General Pier and Harbour Act*, 1861:
Orders of Board of Trade. c. lxviii. (No. 1); c. xc. (No. 6); c. cxxviii. (No. 2)); c. cxxix. (No. 3); c. cxxx. (No. 4); c. cxxxi. (No. 5).

(6.) *Under Housing of the Working Classes Act*, 1890:
(*a.*) Order of Local Government Board. c. lvii. (*Bolton*).
(*b.*) Orders of Local Government Board for Ireland. c. lxxv. (*Athlone; Kingstown*).

(7.) *Under Land Drainage Act*, 1861:
Order of Board of Agriculture. c. xliv. (*Aslackby and Dowsby*).

(8.) *Under Local Government Acts:*
(*a.*) *Gas and Water Works Facilities Acts, and Public Health Act*, 1875:
Orders of Local Government Board. c. lxv.
(*b.*) *Local Government Act*, 1888:
Orders of Local Government Board. c. lx. (No. 3); c. lxiii. (No. 7); c. lxxxi. (No. 16); c. cxxxvii. (No. 13).
(*c.*) *Local Government Acts*, 1888 *and* 1899, *and Public Health Act*, 1875:
Orders of Local Government Board. c. cxxxv. (No. 5).
(*d.*) *Poor Law Amendment Act*, 1867:
Order of Local Government Board. c. lxxvi. (*Oxford*).
(*e.*) *Public Health Act*, 1875:
Orders of Local Government Board. c. lviii. (No. 1); c. lix. (No. 2); c. lxi. (No. 4); c. lxii. (No. 6); c. lxiv. (No. 11); c. lxxvii. (No. 9); c. lxxviii. (No. 10); c. lxxix. (No. 12); c. lxxx. (No. 14); c. lxxxii. (No. 17); c. clxxxiii. (No. 18); c. cxxxvi. (No. 8).

(9.) *Under Local Government (Ireland) Acts:*
(*a.*) *Local Government (Ireland) Acts*, 1898–1802:
Orders of Local Government Board for Ireland. c. lii. (No. 1); c. liii. (No. 2); c. lvi. (No. 8); c. cxli. (No. 7).
(*b.*) *Local Government (Ireland) Acts*, 1898–1902, *and Public Health (Ireland) Act*, 1878:
Order of Local Government Board for Ireland. c. cxxxix. (No. 3).

Class XVI.—Provisional Orders Confirmation—*continued.*

(9.) *Under Local Government (Ireland) Acts*—continued.

(c.) *Public Health (Ireland) Acts*, 1878–1896:
Orders of Local Government Board for Ireland. c. liv. (No. 4); c. lv. (No. 6); c. cxl. (No. 5).

(10.) *Under Local Government (Scotland) Acts:*
Burgh Police (Scotland) Act, 1892:
Orders of Secretary for Scotland. c. lxxvi. (Hamilton Burgh); c. lxxxvii. (Broughty Ferry Gas).

(11.) *Under Metropolitan Police Act*, 1886:
Order of Secretary of State. c. cxliv.

(12.) *Under Military Lands Act*, 1892:
Orders of Secretary of State. c. lxxxiv. (*Headley; Windsor*).

(13.) *Under Naval Works Act*, 1895:
Order of Admiralty. c. lxvii. (*Dartmouth*).

(14.) *Under Private Legislation Procedure (Scotland) Act*, 1899:
Orders of Secretary for Scotland, viz.:

Class I. c. clii.
„ II. (1.) c. l.; c. lxxii.; c. lxxiv.
(2.) c. cxlii.; c. cxliii.; c. cliii.; c. ccxxvi.; c. ccxxviii.
(3.) c. lxxiv.
„ III. c. lxxi
„ IV. c. cliv.; c. ccxxvii.
„ V. c. li.; c. clxix.; c. lxx.; c. lxxiii.; c. cxli.i; c. cxliii.; c. cxlvii.; c. cxlviii.; c. clii.; c. ccxxviii.; c. ccxxix.
„ VI. (1.) c. cxliii.
(2.) c. lxx.; c. lxxiii.
„ VII. c. lxix.; c. cxlvii.; c. ccxxix.
„ IX. c. ccxxvi'i.
„ XI. c. cxlix.
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PUBLIC GENERAL STATUTES,

3 EDWARD 7.—A.D. 1903.

Note.—The capital letters placed after the chapter have the following signification:—

E.	*that the Act relates to*		England (and Wales, if it so extend).
S.	„	„	Scotland exclusively.
I.	„	„	Ireland exclusively.
U.K.	„	„	Great Britain and Ireland (and Colonies, if it so extend).
Ind.	„	„	India specially.
C.	„	„	The Colonies specially, or any of them.

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